

He was of the quiet sort in his conduct in the House. He very rarely took the floor, but while he was well enough to attend the sessions he always took a clear-cut position on questions before the House and never hesitated upon what his duty was toward his State and country.

A man of wealth, he was responsive to the needs of the times, and gave freely of his substance to the many movements of altruistic character. I instance the fact that in casual conversation with me one day in the Chamber he asked me about my experience while the head of a college in Ohio. Upon my stating that a college president of to-day must be a successful money collector rather than a great scholar or administrator for scholarly matters, he responded not only by assent to my observation, but without my asking it he drew a check on behalf of the college and requested that I use it for the good of some ambitious student who must have assistance to finish his course. Upon further conversation I found he was making a systematic use of his wealth for the good of the world.

Mr. Speaker, after all, political fame is little more than a bubble, which can not insure real happiness. We have a thousand proofs of it. Riches, as this world goes, have wings, and they are of the moment. None of these things of themselves abide. The rich achievement is in matters of character which are of the substance of successful living. Wealth is a wonderful convenience but can not be of great and abiding value except as used to produce the personal and public weal. Fame is ephemeral and not worthy the seeking, as it inevitably ends in disappointment and frequently sorrow. The man who is famous to-day may be infamous to-morrow, dependent upon the current of a fickle public opinion that sways with the strongest current. The surest road to the greatest happiness is that which leads to the greatest service to mankind. That road may lead through a business career where the accumulations of years are devoted to mankind. It may lead to a professional career whose talent and tact are devoted to the good of the race. The modern slogan of mankind is while making a living learn to live. This demands a service of public spirit where energy, wealth, and reputation are employed to increase the goodness of the world.

For such service, membership in this House is an opportunity. I believe the time is here now when human interest calls for legislation on behalf of our common humanity. In other words, legislation can not be circumscribed by a mere money consideration. My short acquaintance with our colleague convinces me he had the proper angle as a public man, and I desire to pay this brief tribute to his memory.

Mr. MOORE of Pennsylvania. Mr. Speaker, our New Jersey colleagues have paid their tributes to the late JOHN H. CAPSTICK, Member from the fifth New Jersey district. They have spoken of him as we are wont to do when those with whom we have fraternized in our respective delegations have passed away. What they have said has been appropriate and sympathetic. But the acquaintanceship which a Member of Congress from any State acquires after a brief experience in Washington, widens and broadens until representatives of all the States evince an interest in his life and services.

Mr. CAPSTICK was elected to the Sixty-fourth Congress in 1914. The war in Europe had already started when he made his appearance at the Capitol. Like every other Member who came in with that Congress, he mingled with his fellow Members as one who realized that great events were about to transpire. It was this feeling of uncertainty on the part of all Members of Congress, with regard to the future, that gave Mr. CAPSTICK ready access to the thoughts and expressions of his colleagues the country over. It was not surprising under these circumstances that one of his amiable qualities should rapidly advance in the friendship and confidence of his associates.

I admired Mr. CAPSTICK because of his rugged and practical interest in the new life he assumed. A business man, such as he was, is generally more reticent than the lawyer or professional man in matters of legislation, but our New Jersey colleague came into the congressional life when political and economic conditions were badly mixed and when the advice of a solid man of business was doubly welcome. His hard-headed common sense proved of much value to the committees upon which he was appointed and gave great promise of future usefulness. With him, however, it was as we, unfortunately, have sometimes observed in the case of other new and substantial acquisitions to the House. He was not to be given the opportunity to fully develop his service here. He made a brave beginning. What he did was well and creditably done. Then came his sickness, and it long endured.

The electors of the fifth New Jersey district returned him to the Sixty-fifth or war Congress of the United States, and despite his illness he made a gallant effort to do his full duty. He returned to Washington on several occasions—once accompanied by his physician all the way from the hospital—but so enfeebled as to lead his friends to doubt the wisdom of his journey. It was his grit and mettle that induced him to come. Though he knew the outcome of his appearance in Washington might be fatal to himself he still felt that he owed his vote and his attendance here to the constituency which had honored him. Of such stuff was our colleague made.

I mourn with my colleagues from New Jersey and other States the loss of JOHN H. CAPSTICK. He was a strong and vigorous American, too soon removed from those who loved him, and from the path of patriotic duty which he heroically sought to travel.

The SPEAKER pro tempore. According to the resolutions which were adopted, the House now stands adjourned until to-morrow at 12 o'clock.

Thereupon (at 1 o'clock and 32 minutes p. m.) the House adjourned until to-morrow, Monday, May 20, 1918, at 12 o'clock noon.

SENATE.

MONDAY, May 20, 1918.

(Legislative day of Friday, May 17, 1918.)

The Senate met at 12 o'clock noon.

THE PRESIDENT'S ADDRESS IN NEW YORK.

Mr. THOMPSON. Mr. President, I desire to have printed in the RECORD the able and eloquent address of the President of the United States upon opening the Red Cross drive in New York City, delivered May 18, 1918.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

"Mr. Chairman and fellow countrymen, I should be very sorry to think that Mr. Davison in any degree curtailed his exceedingly interesting speech for fear that he was postponing mine, because I am sure you listened with the same intent and intimate interest with which I listened to the extraordinarily vivid account he gave of the things which he had realized, because he had come in contact with them on the other side of the water. We compassed them with our imagination. He compassed them in his personal experience.

"I have not come here to-night to review for you the work of the Red Cross; I am not competent to do so, because I have not had the time or the opportunity to follow it in detail. I have come here simply to say a few words to you as to what it all seems to me to mean. It means a great deal.

FACING TWO DUTIES.

"There are two duties with which we are face to face. The first duty is to win the war, and the second duty, that goes hand in hand with it, is to win it greatly and worthily, showing the real quality of our power not only, but the real quality of our purpose and of ourselves. Of course, the first duty, the duty that we must keep in the foreground of our thought until it is accomplished, is to win the war. I have heard gentlemen recently say that we must get 5,000,000 men ready. Why limit it to 5,000,000? I have asked the Congress of the United States to name no limit, because the Congress intends, I am sure, as we all intend, that every ship that can carry men or supplies shall go laden upon every voyage with every man and every supply she can carry.

INSINCERE PEACE PROPOSALS.

"And we are not to be diverted from the grim purpose of winning the war by any insincere approaches upon the subject of peace. I can say with a clear conscience that I have tested those intimations and have found them insincere. I now recognize them for what they are—an opportunity to have a free hand, particularly in the East, to carry out purposes of conquest and exploitation. Every proposal with regard to accommodation in the west involves a reservation with regard to the east. Now, so far as I am concerned, I intend to stand by Russia as well as France. The helpless and the friendless are the very ones that need friends and succor, and if any man in Germany thinks we are going to sacrifice anybody for our own sake I tell them now they are mistaken. For the glory of this war, my fellow citizens, so far as we are concerned, is that it is, perhaps for the first time in history, an unselfish war. I could not be proud to fight for a selfish purpose, but I can be proud to fight for man-

kind. If they wish peace, let them come forward, through accredited representatives, and lay their terms on the table. We have laid ours, and they know what they are.

DUTY OF RED CROSS.

"But behind all this grim purpose, my friends, lies the opportunity to demonstrate not only force, which will be demonstrated to the utmost, but the opportunity to demonstrate character, and it is that opportunity that we have most conspicuously in the work of the Red Cross. Not that our men in arms do not represent our character, for they do; and it is a character which those who see and realize appreciate and admire, but their duty is the duty of force. The duty of the Red Cross is the duty of mercy and succor and friendship.

"Have you formed a picture in your imagination of what this war is doing for us and for the world? In my own mind I am convinced that not a hundred years of peace could have knitted this Nation together as this single year of war has knitted it together, and, better even than that if possible, it is knitting the world together. Look at the picture: In the center of the scene four nations engaged against the world and at every point of vantage showing that they are seeking selfish aggrandizement; and against them 23 Governments representing the greater part of the population of the world drawn together into a new sense of community of interest, a new sense of community of purpose, a new sense of unity of life.

INCIDENT IN ITALY.

"The Secretary of War told me an interesting incident the other day. He said when he was in Italy a member of the Italian Government was explaining to him the many reasons why Italy felt near to the United States. He said, 'If you want to try an interesting experiment, go up to any one of these troop trains and ask in English how many of them have been in America, and see what happens.' He tried the experiment. He went up to a troop train and he said, 'How many of you boys have been in America?' and he said it seemed to him as if half of them sprang up and said, 'Me from San Francisco,' 'Me from New York—all over.' There was part of the heart of America in the Italian Army—people that had been knitted to us by association, who knew us, who had lived among us, who had worked shoulder to shoulder with us, and now, friends of America, were fighting for their native Italy.

"Friendship is the only cement that will ever hold the world together. And this intimate contact of the great Red Cross with the peoples who are suffering the terrors and deprivations of this war is going to be one of the greatest instrumentalities of friendship that the world ever knew, and the center of the heart of it all, if we sustain it properly, will be this land that we so dearly love.

GREAT DAY OF DUTY.

"My friends, a great day of duty has come, and duty finds a man's soul as no kind of work can ever find it. May I say this? The duty that faces us all now is to serve one another, and no man can afford to make a fortune out of this war. There are men amongst us who have forgotten that, if they ever saw it. Some of you are old enough—I am old enough—to remember men who made fortunes out of the Civil War, and you know how they were regarded by their fellow citizens. That was a war to save one country; this is a war to save the world. And your relation to the Red Cross is one of the relations which will relieve you of the stigma. You can not give anything to the Government of the United States, it will not accept it. There is a law of Congress against accepting even services without pay. The only thing that the Government will accept is a loan, and duties performed; but it is a great deal better to give than to lend or to pay, and your great channel for giving is the American Red Cross. Down in your hearts you can not take very much satisfaction in the last analysis in lending money to the Government of the United States, because the interest which you draw will burn your pockets. It is a commercial transaction, and some men have even dared to cavil at the rate of interest, not knowing the incidental commentary that constitutes upon their attitude. But when you give, something of your heart, something of your soul, something of yourself goes with the gift, particularly when it is given in such form that it never can come back by way of direct benefit to yourself. You know there is the old cynical definition of gratitude, as 'the lively expectation of favors to come.' Well, there is no expectation of favors to come in this kind of giving. These things are bestowed in order that the world may be a fitter place to live in, that men may be succored, that homes may be restored, that suffering may be relieved, that the face of the earth may have the blight of destruction taken away from it, and that wherever force goes, there shall go mercy and helpfulness.

DO NOT GIVE SPARINGLY.

"And when you give, give absolutely all that you can spare, and do not consider yourself liberal in the giving. If you give with self-adulation, you are not giving at all—you are giving to your own vanity. But if you give until it hurts, then your heart blood goes into it.

"Think what we have here! We call it the American Red Cross, but it is merely a branch of a great international organization, which is not only recognized by the statutes of each of the civilized Governments of the world, but it is recognized by international agreement and treaty as the recognized and accepted instrumentality of mercy and succor. And one of the deepest stains that rests upon the reputation of the German Army is that they have not respected the Red Cross. That goes to the root of the matter. They have not respected the instrumentality they themselves participated in setting up as the thing which no man was to touch because it was the expression of common humanity. We are members, by being members of the American Red Cross, of a great fraternity and comradeship which extends all over the world, and this cross which these ladies bore to-day is an emblem of Christianity itself.

TRIBUTE TO WOMEN.

"It fills my imagination, ladies and gentlemen, to think of the women all over this country who are busy to-night and are busy every night and every day doing the work of the Red Cross, busy with a great eagerness to find out the most serviceable thing to do, busy with a forgetfulness of all the old frivolities of their social relationships, ready to curtail the duties of the household in order that they may contribute to this common work that all their hearts are engaged in, and in doing which their hearts become acquainted with each other. When you think of this you realize how the people of the United States are being drawn together into a great intimate family whose heart is being used for the service of the soldiers not only, but for the service of civilians where they suffer and are lost in a maze of distresses and distractions. And you have, then, this noble picture of justice and mercy as the two servants of liberty. For only where men are free do they think the thoughts of comradeship; only where they are free do they think the thoughts of sympathy; only where they are free are they mutually helpful; only where they are free do they realize their dependence upon one another and their comradeship in a common interest and common necessity.

INDIAN'S VIEW OF WAR PURPOSE.

"I heard a story told the other day that was ridiculous, but it is worth repeating, because it contains the germ of truth. An Indian was enlisted in the Army. He returned to the reservation on a furlough. He was asked what he thought of it. He said, 'No much good. Too much salute, not much shoot.' Then he was asked, 'Are you going back?' 'Yes.' 'Well, do you know what you are fighting for?' 'Yes, me know; fight to make whole damn world Democratic Party.' He had evidently misunderstood some innocent sentence of my own. But after all, although there is no party purpose in it, he got it right as far as the word 'party'; to make the whole world democratic in the sense of community of interest and of purpose; and if you ladies and gentlemen could read some of the touching dispatches which come through official channels (for even through those channels there come voices of humanity that are infinitely pathetic); if you could catch some of those voices that speak the utter longing of oppressed and helpless peoples all over the world, to hear something like the Battle Hymn of the Republic, to hear the feet of the great hosts of liberty coming to set them free, to set their minds free, set their lives free, set their children free—you would know what comes into the heart of those who are trying to contribute all the brains and power they have to this great enterprise of liberty. I summon you to the comradeship. I summon you in this next week to say how much and how sincerely and how unanimously you sustain the heart of the world."

APPOINTMENT OF CHARLES E. HUGHES.

Mr. THOMPSON. Mr. President, I have also an article from the Christian Science Monitor commending the appointment of former Justice Hughes to the position of assistant in the aircraft investigation. It reviews his great ability and success as an investigator. I should like also to have it printed in the Record.

Mr. SMOOT. To this request I object. As I told the Senate some time ago in the absence of the Senator from Arizona [Mr. SMITH], the chairman of the Committee on Printing, I shall object to newspaper or magazine articles going into the Record, and I object to this.

Mr. THOMPSON. I hope the Senator will withdraw his objection in view of the fact that it refers to the appointment of

former Justice Hughes. It is a very able article and reviews the successful work of this great jurist as a lawyer. I can not see why it is not pertinent, particularly in view of the question now before the Senate regarding an investigation of aircraft production.

Mr. SMOOT. There is not a Senator who would not agree with all the article says of Gov. Hughes—

Mr. THOMPSON. It certainly can do no harm then, Mr. President, to have it given publicity by printing in the Record.

Mr. SMOOT. But that is not the proposition. If one article goes in the Record all must go in, and that seems to be the policy. Therefore I object.

Mr. THOMPSON. Of course, the Senator can not keep it out of the Record, for I shall take the floor at my first opportunity and read it if necessary. I hope I shall not be obliged to do that.

Mr. SMOOT. The Senator will be obliged to do it if it goes into the Record unless the Senate shall decide otherwise. I do not object to the Senator reading it, nor could I object to that.

Mr. THOMPSON. Mr. President—

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	McNary	Smith, S. C.
Bankhead	Gulon	Nelson	Smoot
Beckham	Hale	New	Sterling
Brandagee	Hardwick	Nugent	Sutherland
Calder	Hitchcock	Overman	Thomas
Chamberlain	Hollis	Page	Thompson
Colt	Johnson, Cal.	Phelan	Townsend
Culberson	Johnson, S. Dak.	Polindexter	Trammell
Cummins	Jones, N. Mex.	Ransdell	Underwood
Curtis	Kellogg	Saulsbury	Vardaman
Dillingham	Kendrick	Shafroth	Wadsworth
Fall	Kirby	Sheppard	Weeks
Fernald	Lenroot	Sherman	Willey
Fletcher	Lewis	Shields	Wolcott
France	McCumber	Smith, Ga.	
Frelinghuysen	McKellar	Smith, Mich.	

Mr. LEWIS. May I announce the absence of the Senator from Utah [Mr. KING], occasioned by official business?

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present.

Mr. KIRBY. I desire to announce that the Senator from Nevada [Mr. HENDERSON], the Senator from Ohio [Mr. POMERENE], and the Senator from Arkansas [Mr. ROBINSON] are detained on official business.

Mr. THOMPSON. Mr. President, I was very much surprised at the objection raised by the Senator from Utah [Mr. SMOOT] to having printed in the Record an article commendatory of the distinguished jurist, Hon. Charles E. Hughes, as an investigator. I was glad on Saturday that the Senator from Idaho [Mr. BORAH] commended this appointment from a Republican standpoint and disputed a newspaper comment that it was not satisfactory to the Republican Party. However, it seems from the objection raised now by the Republican leader upon the floor that there must be some objection by that party to this appointment.

I have here a very able editorial appearing in the Christian Science Monitor, printed May 18, 1918, reviewing the work of this lawyer as an able and successful investigator, and showing his success in many of those endeavors. I send it to the desk and ask to have it read as a part of my remarks.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

"CHARLES E. HUGHES, INVESTIGATOR.

"His city and his State had long before known him for something else, but his country first became acquainted with Charles E. Hughes as an investigator into the conduct of certain immensely important, immensely wealthy, and immensely powerful insurance companies, with their headquarters in New York City. To the preponderating majority of his fellow countrymen the beginning of this man's public career dates from the insurance inquiry, but as a matter of fact he never, in all probability, would have been called upon to undertake that famous inquisition had he not already made a great reputation among lawyers through his wonderfully thorough overhauling, overturning, and ventilation of the affairs of the Consolidated Gas Co., of New York, his merciless arraignment of its management, and his pitiless excoriation of the watered-stock system upon which the corporation was floated.

"To the average man, even to the average lawyer, the prospect which the Consolidated Gas Co. offered to an investigator was anything but inviting. Behind it were entrenched powerful and unyielding interests, unwilling to budge an inch. Charles

E. Hughes had, so to speak, to blast them out. They would give him no information. They would volunteer no help. They would confess nothing, admit nothing. Their lips and their teeth had to be pried open, as it were, before they would utter a sound. But the quiet, soft-voiced lawyer persisted, convinced them that mere obstruction and stubbornness would be unavailing, and finally had them scrambling and clamoring to tell him all, and sometimes more, than they knew. The result was reform and reorganization and an end to extortion in the gas and electric lighting service of the chief city of the Nation.

"The patience, the perseverance, the tact which Mr. Hughes manifested in the conduct of the legislative inquiry into gas won admiration for him, even among those whom his victory had seriously affected financially. When the great insurance scandal was precipitated, through the lavish display of luxury indulged in by princely salaried but useless officials of certain of the great companies, and a legislative investigation became imperative, the name of Charles E. Hughes, as that of the man most competent to conduct it, was proposed by common impulse. There was never a question on any side as to his fitness or his integrity. Those for whom he had fought and those against whom he had fought in the gas scandal were alike willing to give him abundant confidence.

"As he had delved into the franchises, capitalizations, and watering processes of the combinations that constituted the Consolidated Gas Co., so he bored into the inner recesses, secrets, and mysteries of the great insurance companies. The externals and the sensational things, such as the Sherry dinners, the town and country mansions, the distribution of gratuities and graft, concerned him little, in comparison with the problem presented by the almost unlimited opportunities for evil afforded by the entire insurance system of finance. The prosecuting attorney and the courts could deal with the criminal phases if they thought best. In view of the many attempts made to draw red herrings across the track of the aircraft exposure, it is worth while to recall his course with regard to irrelevancies in the insurance investigation. In the language of a review of the methods followed by him, published while he was before the country as a presidential candidate, "once the investigation got under way the public began to notice the same persistent, painstaking policy that had marked the gas probe. Mr. Hughes refused to be diverted from any phase of the subject until he had exhausted all its possibilities, and he refused absolutely to depart from the general subject of insurance to go into other matters, political or ethical."

"The defense in all such cases labors to becloud the real issue. It is the common practice of those under inquiry to try to turn attention to matters that have little or no relation to the main point. There were ingredients enough to make a score of first-class side sensations in the insurance exposé, but Mr. Hughes kept always in view his principal purpose, which was that of disclosing wherein the methods and practices of the insurance system of New York were wrong and of devising legislation which would prevent the recurrence of such baleful conditions.

"Incidentally, his conduct of the inquiry broke up the old insurance ring completely; but it did far more than that, it placed the insurance system on a sounder basis than ever before. Incidentally, it drove some individuals who had been very conspicuous to the background, but in these personal aspects its accomplishments were trivial compared with the revival of public confidence in the insurance system resulting from the adoption of the reforms which Mr. Hughes proposed and advocated.

"It may be taken for granted that if Charles Evans Hughes shall be given a free hand—and it is well-nigh certain that he will have nothing less—every fact connected with the apparent failure of the aircraft program will be brought to light and weighed and measured in relation to the main question. Nothing will be left uncovered. Light will be poured in upon everything. Camouflage, confusion, and calcimine, at all events, have in the past been foreign to Hughes investigations."

Mr. SMOOT. Mr. President, I merely wish to say to the Senate that if the Senator from Kansas had reference to me in his statement before he asked to have the article read he is certainly mistaken. The Senator can rest his soul in peace, for I assure him that Gov. Hughes's appointment was as remarkable as it was admirable.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed bill (S. 3935) to prohibit the sale, manufacture, and importation of intoxicating liquors in the Territory of Hawaii during the period of the war, except as hereinafter provided.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills:

S. 2123. An act to regulate the practice of podiatry in the District of Columbia;

S. 4409. An act to amend section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes";

H. R. 8696. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919; and

H. R. 11628. An act to amend an act entitled "An act to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys of the District of Columbia," approved September 25, 1914.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a memorial from the Billy Sunday Tabernacle Workers remonstrating against the action of the Board of Commissioners of the District of Columbia permitting Sunday baseball, which will be inserted in the Record.

The memorial is as follows:

Hon. THOMAS MARSHALL,
President of the United States Senate, Washington, D. C.

Sir: At a meeting of the Billy Sunday Tabernacle Workers of Washington, D. C., on Tuesday, May 14, I was instructed to transmit the following resolution to your honorable body for consideration:

"Resolved by the Billy Sunday Tabernacle Workers, That we strongly disapprove of the action of the Commissioners of the District of Columbia, announced to-day, authorizing the playing of professional baseball games on Sunday.

"Congress has unanimously voted for a day of fasting and prayer for the entire Nation and the President has accordingly designated the 30th day of the present month as the day when all the people are urged to unite in prayer and supplication for the favor and help of Almighty God for ourselves and our allies in the gigantic struggle in which we are engaged for liberty and righteousness.

"It is singularly inappropriate for the civil authorities of the National Capital to follow this action of the President and Congress with an order which is directly in conflict with one of God's laws.

"We believe this action will meet with general disapproval by the better class of our citizens here in the National Capital and throughout the entire country: And be it further

"Resolved, That this resolution be sent to the President of the United States, Senate, House of Representatives, the Commissioners of the District of Columbia, and the local newspapers."

Very respectfully,

JOHN O. LEWIS, Secretary.

May 18, 1918.

Mr. McKELLAR. I present resolutions adopted by the Commercial Club of Nashville, Tenn., which I ask to have printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

COMMERCIAL CLUB OF NASHVILLE,
May 13, 1918.

Hon. K. D. McKELLAR,
Washington, D. C.

DEAR SENATOR: At a meeting of the board of governors of the Commercial Club held Thursday evening last the following resolution was passed:

"Resolved, That our Senators and Representatives in Congress be requested to oppose the postponement of the advance postal charge on publications beyond July 1 next."

I would much appreciate your answer to this letter and a statement as to your position in the matter.

Yours, truly,

W. R. MANIER, Secretary.

Mr. McKELLAR. I also present a statement relative to the response made by the citizens of the city of Nashville to the third liberty loan, which I ask to have printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

"HE PROFITS MOST WHO SERVES BEST"—NASHVILLE'S RESPONSE.

In the first liberty loan Nashville was allotted \$3,120,429.58, and Nashville subscribed \$4,381,650.

In the second liberty loan Nashville was allotted \$4,511,420.96, and Nashville subscribed \$6,642,600.

In the third liberty loan Nashville was allotted \$4,800,000, and, although this liberty loan campaign does not close until May 4, Nashville has already subscribed over \$5,000,000.

In the Red Cross drive Nashville was allotted \$150,000 and subscribed \$185,000, of which over 97 per cent has been paid.

In the Army Y. M. C. A. campaign Nashville was asked for \$40,000 and agreed at the beginning of the campaign to raise \$75,000 and actually subscribed \$94,000.

In the campaign for "eyes for the Navy" Nashville furnished more than 500 pairs of glasses.

In the campaign for books for our soldiers Nashville furnished 47,518 volumes.

In the campaign for clothes for the relief of Belgium Nashville was asked for a carload and furnished one and a half carloads, estimated second-hand value over \$50,000.

Nashville was asked for \$8,000 for Y. W. C. A. rest rooms buildings at different cantonments. Nashville gave \$12,500.

More than 50 representative business men of Nashville are now in the religious and Army work of the Y. M. C. A.

Nashville furnished one complete medical unit, composed of 12 leading physicians, 21 nurses, and 45 enlisted men, who are now in France.

Nashville is one of only nine cities in the United States showing improvement in condition of their boys since the war began—as reported by executive secretary of Boys' Club Federation of America.

April 24, 1918.

Mr. HALE presented a petition of sundry citizens of the State of Maine, praying for the enactment of legislation to provide for the adequate construction of highways and for a Federal centralized authority for the administration of the policy governing same, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Chamber of Commerce of Portland, Me., remonstrating against the adoption of a proposed amendment to the naval appropriation bill, to penalize the granting of bonuses or premiums to employees of the Government, or employees who are under Government supervision, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Federation of Churches of Portland and South Portland, Me., and a petition of the Young Men's Christian Association of Lewiston, Me., praying for national prohibition as a war measure, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 2654) providing for the appointment of two additional district judges in the State of Illinois, reported it with amendments.

Mr. WALSH, from the Committee on Pensions, to which was referred the bill (H. R. 11658) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 446) thereon.

He also, from the same committee, to which was referred the bill (H. R. 11663) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 447) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEW:

A bill (S. 4558) granting an increase of pension to William H. McKay;

A bill (S. 4559) granting a pension to James T. Brown (with accompanying papers); and

A bill (S. 4560) granting a pension to Schuyler C. Jackson (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 4561) to reimburse Capt. K. E. Kern, Fifty-fourth Infantry, for certain expenditures, commanding military police, Chattanooga, Tenn., and Douglas, Ariz., for money expended by him at said points in the prosecution of sellers of alcohol and peddlers of narcotics and in the renting of automobiles for transportation of sick and wounded to hospitals; and

A bill (S. 4562) to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property (with accompanying papers); to the Committee on Claims.

A bill (S. 4563) granting an increase of pension to Susan E. Nash (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 4564) for the relief of Chauncey Boyce; to the Committee on Military Affairs.

A bill (S. 4565) for the relief of Jay W. Daley (with accompanying papers); to the Committee on Claims.

A bill (S. 4566) granting an increase of pension to Martin Joy (with accompanying papers);

A bill (S. 4567) granting an increase of pension to Enos S. Whitcomb; and

A bill (S. 4568) granting an increase of pension to James E. Embury; to the Committee on Pensions.

VOCATIONAL REHABILITATION OF SOLDIERS AND SAILORS.

Mr. SMITH of Georgia. Mr. President, a few weeks ago I introduced a bill providing for the vocational rehabilitation of men discharged from the military and naval services of the United States. The bill which I then introduced was largely the work of a committee appointed by the Council of National

Defense, of which the Assistant Secretary of the Navy was chairman, and upon which served representatives of the Army, the Navy, the War-Risk Insurance Bureau, the Federal Board of Vocational Education, and others who have made a special study of this subject.

The Senate Committee and the House Committee on Education met jointly and conducted for a number of days hearings upon this bill. The Governor General of Canada did us the favor of sending to our committee the director of this work in Canada, who gave us a full and detailed account of what was being done and what had been accomplished in Canada. The record of our hearings has been printed, and Senators will find in it a synopsis of the action of each one of the countries at war along the line of vocational rehabilitation for their soldiers and their sailors.

A number of modifications of a minor character have been made in the bill by the Committee on Education, only one of any substantial importance, that one being to strike out the provision which during the vocational rehabilitation would put the injured soldier or sailor back under military discipline. The result of the information we have received from foreign countries was that no country among our allies resorts to such an extreme course.

I ask unanimous consent to introduce the bill as the Committee on Education and Labor has practically agreed upon it. I will submit the report of the committee upon it in a day or two.

The bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes, was read twice by its title, and referred to the Committee on Education and Labor.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the following act and joint resolution:

S. 3771. An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government; and

S. J. Res. 124. Joint resolution providing for the registration for military service of all male persons citizens of the United States or residing in the United States who have since the 5th day of June, 1917, and on or before the day set for the registration, by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States."

TATSUJI SAITO (H. DOC. NO. 1108).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and with the accompanying paper, referred to the Committee on Foreign Relations and ordered to be printed.

To the Senate:

I transmit herewith, for the consideration of the Senate, the accompanying letter from the Secretary of War in reference to the case of a Japanese subject named Tatsuji Saito, who was killed on the night of May 25, 1916, at Camp San Geronimo, Mexico, presumably by American soldiers. The attention of the Senate is invited to the recommendation of the Secretary of War that, as an act of grace, an appropriation of a reasonable sum of money be made for the benefit of the family of the said Japanese subject.

The matter has also been brought to the attention of the House of Representatives.

WOODROW WILSON.

THE WHITE HOUSE, 20 May, 1918.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FLETCHER. Mr. President, when we took a recess on Saturday last the matter pending was, I believe, the amendment offered by the Senator from Washington [Mr. POINDEXTER]. If the Senator is ready to proceed with that matter now, I should be glad to have him do so. I understood that the amendment had really been offered and read, though I am not sure whether or not the amendment as modified was submitted by the Senator.

Mr. POINDEXTER. Mr. President, I do not know what the RECORD shows, but I think that, as a matter of fact, I offered this amendment just before the Senate took a recess on Saturday; but, at any rate, I offer it now. It has been printed. I was going to ask that it be printed in the RECORD, but as it has already been printed in the RECORD I shall not make that request.

In this connection, Mr. President, I desire to call attention to a letter from the Chief of Engineers in regard to this amendment. Formerly it was incorporated in the bill reported by the Rivers and Harbors Committee of the House of Representatives as section 5 of that bill as it stood at that time. The only change I have made in the language is to limit the effect of it to navigable waters and their tributaries above tidewater. There is some opposition to it from manufacturing interests, and by making that limitation it relieves the measure of opposition, at least to the extent of factories that discharge acid or other pollution into navigable streams that are tidal or tide waters. In my judgment there is not nearly so much damage done by the discharge of acids in waters which are tidewaters which are partly salt and where there are not generally Government locks or improvements which are injured by them. At any rate the amendment restricts the scope of the prohibition to that extent, and I have limited it in that way. Otherwise it is in the same language as the original section 5 of the bill as reported by the Rivers and Harbors Committee of the other House. On that subject the letter of the Chief of Engineers is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 30, 1918.

The discharge of acid and acid waste into the navigable waters of the United States by the numerous mines and manufacturing establishments operating near such waters has been the subject of complaint for many years.

It has been generally recognized and admitted for a long time that such discharge pollutes the streams, destroys fish and fish life, and renders the waters insanitary and unfit for ordinary domestic purposes; but as these are matters peculiarly of local concern and subject to corrective regulation and control under State and municipal laws they did not seem to call for any Federal action.

Studies and investigations in recent years, however, have demonstrated beyond question that the practice has increased to such an extent as to cause very serious injury to commerce and navigation, as well as direct damage to the Government, especially on such important rivers as the Monongahela, Allegheny, and Ohio. Careful tests made in the pools above the navigation dams in the Pittsburgh district show that the quantity of free acid discharged from mines, coal washers, and mills into these rivers aggregates about 6,500 tons per day.

The presence of acid and acid salts in the water results in deterioration to the boilers and hulls of steamboats, and damage to the submerged metal parts of the Government locks and dams.

For use in boilers the water has to be subjected to a special treatment, the expense of which is considerable, and in spite of the treatment experience has shown that the life of the boilers is only about half what it should be. Formerly the boilers of vessels using these waters lasted, with average annual repairs, 20 years; with similar repairs they now last only 10 years. In other words, the boilers in boats employed in commerce and those in the boats belonging to the Government and used for purposes of improvement must be wholly renewed once in 10 years, instead of once in 20 years. It is estimated that the annual loss to these vessels in this district alone due to acid is nearly \$25,000.

The damage done to the Government locks and dams is extensive. The valves, gates, plates, operating chains, and all metal parts below water are corroded and eaten away by the action of the acid. Posts have been found almost eaten through after a few years' service, when in pure water they ought to be almost as good as new. While it is difficult to fix the exact money value of the damage done to these works, yet, from careful estimates, excluding as far as possible all other causes, it is safe to say that the cost to the United States of deterioration due to acid in the waters is not less than \$25,000 a year on the Monongahela, and not less than \$32,000 a year on the Ohio.

It is believed, therefore, that the proper conservation of purely Federal interests requires legislation by means of which this evil may be limited and corrected, and a proposed draft is submitted for consideration.

As will be seen, the letter points out the damage to locks and other metal works used in connection with the improvement of navigation as being to a much larger monetary extent than to the boilers of vessels.

Mr. TOWNSEND. Mr. President—

Mr. POINDEXTER. I yield to the Senator from Michigan.

Mr. TOWNSEND. Does the Senator's amendment apply to navigation on navigable rivers and inland lakes, as well as to the ocean and its tributaries?

Mr. POINDEXTER. It does not now by the limitation which I have placed in it apply to the ocean or to tidal waters, but it applies to navigable waters above tidal waters.

Mr. TOWNSEND. In Michigan we have had some difficulty in past years, and until recently the matter has not been settled. There have been chemical plants and others which have been constructed on navigable streams, which have polluted the waters, and which have thereby affected the healthfulness of the water for drinking purposes and for its habitation by fish. The Senator's amendment, as I understand, would prohibit the construction of plants which would pollute waters in that way.

Mr. POINDEXTER. That is the purpose I have in making this modification of the language; it leaves some discretion in the Secretary of War, operating, I presume, through the Chief of Engineers, as to the extent of the limitations which are to be placed by him upon that matter. Within those limitations and restrictions, having regard, I presume, to the different circumstances and conditions, it is prohibited to pollute waters in that way.

Mr. FLETCHER. Mr. President—

Mr. POINDEXTER. I yield to the Senator from Florida.

Mr. FLETCHER. If the Senator will allow me to interrupt, I will say that, while I have no authority to accept the amendment on behalf of the committee, personally I think that it is a very meritorious amendment, and I should be perfectly willing to have it go to conference and to have the matter thrashed out by the conferees. If we can agree upon it, I shall be glad to have it in the bill. The amendment provides:

That, within limits to be prescribed by the Secretary of War, it shall not be lawful—

And so forth.

Therefore, with that safeguard about it, it seems to me it is a very excellent amendment. I make no contest over it, so far as I am concerned.

Mr. POINDEXTER. Mr. President, I thank the Senator from Florida for that statement, and with that statement from the chairman of the committee, and considering that this language was incorporated originally in the bill, I submit the amendment to the Senate with the hope that it will be adopted.

Everybody is more or less familiar with the general question of the destruction, practically, of the usefulness and beauty of many of our streams in the manner prohibited in the amendment, and the Secretary of War sets out specifically the injury to navigation and the expense to the Government of the United States which is caused by it.

The Senator from Florida has pointed out very succinctly the safeguards that are placed around this amendment to avoid any unreasonable action. I hope the amendment will be adopted.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Washington [Mr. POINDEXTER].

The amendment was agreed to.

Mr. CALDER. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In the New York items it is proposed to insert the following:

Examination and survey for straightening, widening, and improving the waters of Coney Island Creek, in the Borough of Brooklyn, city of New York, for the purpose of providing a ship canal, 200 feet wide at the bottom, connecting Sheephead Bay with Gravesend Bay, with a view to forming a plan for their improvement, with the cost thereof, it being understood that the cost for the right of way or land to be taken is to be borne by the State of New York in conformity with an act of the legislature adopted at the session of 1918.

The Secretary of War is hereby requested to confer and cooperate with the commissioner of docks of the city of New York and the canal board of the State of New York to determine upon the character of the improvement.

Mr. CALDER. Mr. President, this amendment is an authorization for a survey. The Committee on Rivers and Harbors of the House and the Committee on Commerce of the Senate determined in the consideration of this bill that they would not provide for any new surveys this year. This is not, however, exactly a new survey. There is at present a creek dividing in part Coney Island from Brooklyn, which was used for many years as a waterway, permitting small barges to go from the upper bay in New York Harbor to Jamaica Bay, supplying much of the Boroughs of Brooklyn and Queens with very needed building material, coal, and so forth. While this is in a sense a departure from what the committee has recommended in other directions, it seems to me that the port of New York, where there is such great congestion to-day because of the fact that we are asked to take care of 60 per cent of the Nation's over-sea business, ought to be made an exception.

I might add, Mr. President, that at the recent session of the New York Legislature a bill was passed committing the State to take care of a very material part of the expenditure in connection with this improvement, and recently the board of estimate and apportionment of the city of New York passed a resolution indicating their intention to contribute toward it. If this survey is authorized, Congress may next year, upon a favorable recommendation from the War Department, provide for this important work in conjunction with the State and city of New York. The Government will only be asked to bear relatively a third of the cost. It is a very meritorious proposal, Mr. President, and I hope the chairman of the Committee on Commerce will agree that it be made an exception to the general rule adopted by the committee.

Mr. FLETCHER. Mr. President, I think there were several amendments proposed on Saturday by the Senator's colleague [Mr. WADSWORTH]. I do not know that this is one of them.

Mr. WADSWORTH. On Saturday I proposed one amendment on behalf of my colleague [Mr. CALDER], which was rejected, but this is not the one.

Mr. FLETCHER. The same objection, however, that was raised on Saturday to the amendment which was offered by the Senator applies to this. I have no doubt it is a meritorious proposition, but the House refused to put in any provisions for surveys at all. There were a number of proposals there that were meritorious; but the policy upon which this bill is framed eliminates all new surveys looking to new projects, and the Senate committee has followed that policy in reporting this bill; so that this would be a departure which would open up the whole field of surveys, and other Senators would offer amendments along the same line.

I think it would be a great mistake to provide for surveys in this bill. It is really an emergency measure, and these surveys, I think, can wait. I must insist that the objection to the proposed amendment is sound, in view of the principle and policy on which the bill is based. I therefore can not accept it, and must ask that it be voted down.

Mr. CALDER. Mr. President, just a word in reply to the Senator from Florida [Mr. FLETCHER]. It is a fact that no surveys have been authorized in this bill; but if there is an emergency provision in connection with this measure, this is one. It is so important locally that the State of New York and the city of New York have indicated their willingness to bear a large proportion of the cost of the improvement. It has to do, in a measure, with carrying out a survey adopted last year, which provides for the connection of the waterways along the south side of Long Island.

As I have already stated, Mr. President, the city of New York is asked to handle in these war days 60 per cent of the Nation's over-sea business, and there is nothing that I know of that will help more materially in the performance of that great task than the improvement which is contemplated in this survey.

I hesitate to disagree with the chairman of the Committee on Commerce in this matter, but I do hope that, because of the importance of this matter to the city of New York, which is bearing so heavy a burden in our transportation problems, the Senate will authorize this survey.

Mr. FLETCHER. I will say further that the rule we adopted was that none of these new matters should be taken up unless the War Department certified that it was a war measure and necessary to the national defense. No certificate of that sort has appeared in connection with the pending amendment, and therefore the objection is reinforced.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New York. [Putting the question.] By the sound, the "noes" seem to have it.

Mr. CALDER. I ask for a division.

On a division the amendment was rejected.

The bill was reported to the Senate as amended, and the amendments, with the exception of one reserved, were concurred in.

The VICE PRESIDENT. One amendment has been reserved.

Mr. CURTIS. Mr. President, I understood that an amendment was reserved by the Senator from Utah [Mr. SMOOT], and my recollection is that it was on section 8.

Mr. SMOOT. I reserved a separate vote on section 8, which I understand now is section 9 because of a renumbering of the sections.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to add a new section, as follows:

SEC. 9. That if the Secretary of War shall determine that any of the contracts for work of river and harbor improvements entered into but not completed prior to April 6, 1917, the date of the entrance of the United States into the war with Germany, have become inequitable and unjust on account of increased cost of material and labor and other unforeseen conditions arising out of the war, he is hereby authorized, in his discretion and with the consent of the contractors, to modify and readjust the terms of said contracts in such manner as he may deem equitable and just: *Provided*, That said modifications and readjustments shall apply only to work under said contracts remaining to be done hereafter and shall not include any relief for work performed heretofore under said contracts, and any such sum as may be necessary to provide for the increased cost of the contracts due to said modifications and readjustments, not exceeding the sum of \$2,000,000, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided further*, That as a condition of any such contract being so modified, the Secretary of War shall have the right at the end of any fiscal year until the contract is completed to make such further modifications as in his judgment shall be advantageous to the United States and just to the contractor.

Mr. SMOOT. Mr. President, upon the amendment I ask for the yeas and nays.

Mr. THOMAS. Mr. President, I indulge the vain hope that this amendment may not receive the approval of the Senate.

The best that can be said of the pending bill, in my judgment, is that it is the least objectionable of all river and harbor bills that have appeared since I have been a Member of the Senate. I had hoped that during the war the presentation and enactment of measures like this would be postponed and that appropriations for absolutely needful improvements in the harbors of the country would represent all river and harbor legislation until peace was declared. While the bill has been greatly modified, I regard it as nearly as objectionable as many of its predecessors.

We have gotten in the habit of making appropriations for and expending money upon projects in this country, of which a great many are found in all river and harbor bills, which, in my judgment, can not be successfully defended. Of course, the underlying theory of river and harbor bills is improvement in inland water navigation, and improvement in harbors as well, connected with the high seas, in order to increase and cheapen our facilities for communication.

It is perhaps expecting too much to hope for any substantial abandonment of our methods of appropriation in times of peace during times of war, either as regards rivers and harbors or as regards other subjects which find sustenance in bills that relieve the Treasury of its surplus funds.

I was greatly impressed with the comparison instituted by the junior Senator from Wisconsin [Mr. LENROOT] in his discussion of this measure two days ago, and which consisted in a computation of the number of \$50 Liberty bonds which could be purchased by an unneeded appropriation of some \$8,000,000 at this time. I might use the same method of illustrating the extravagant nature of other appropriations equally unneeded at the present time which we have enacted into law and which are embodied in bills now upon the calendar, but it is not necessary.

Mr. President, I do not believe that we even now realize what this war will cost before it shall have ended. There is nothing like this war in history, and consequently we have no standards of comparison. The war is a contest of endurance between the manhood and physical resources and forces of the peoples engaged in it. With the exception of German successes upon the eastern front, there has been no appreciable advance in the contest since the fall of 1914. We have been in the war about a year, and already the cost is far more than the cost of the Civil War from its inception to its close. The estimated cost for the current year is greatly in excess of that for the year just ended, and the cost of the next ensuing year will undoubtedly be more, I was about to say, than the combined cost of the two years previous; perhaps not. But its cost is enormous, so utterly beyond the imagination of the human mind to adequately conceive that the ability of this country to respond to the calls of the Government necessarily has a limitation somewhere; and that limitation will be reached earlier or postponed later in proportion as we devote the money paid into the Treasury by the people to the actual purposes for which it is raised.

I apprehend that until the clamorings and mutterings of the taxpayers are loud enough to reach the floors of the two Houses of Congress there will be little in the way of contraction and not much evidence of frugality or economy in our financial legislation. Hence all that I hope to do, in the few moments of time that I shall occupy, is again to register my objection and to protest against the enactment of measures like this beyond the sums absolutely necessary to carry out improvements which relate to harbors which are needed, and badly needed, for our war commerce, for the shipment and exportation of men and of equipment to the French front. That, of course, is not only a war expenditure, and therefore a necessary one, but it permanently and substantially improves those entrances to the sea from our coast which are essential to the transaction of the business of the Nation, and which in peace, as in war, are always active.

Mr. President, I have said, and I wish to repeat it, that we can spend all the money now in the Treasury and all of the revenues that we are to derive in the coming 10 years of the immediate future upon the improvement of rivers and creeks and estuaries and bodies of water which exist in esse and in posse, and we will not increase the water-borne commerce of the United States 1 per cent until the commercial and transportation conditions of the country are very radically changed. The expenditures of the Government for so-called river and harbor improvements have for a long time been in nearly inverse proportion to the decrease of water traffic upon the streams and bodies of water that have been the recipients of these appropriations; and it is inevitable that it should be so, Mr. President, since the land transportation system of the country, controlled by a comparatively few men, is averse to any water participation in the transportation business of the country.

We have taken over the railroads, it is true; but that is in pursuance of a strictly war policy, and a necessary step toward the active and efficient prosecution of our part of that war as one of the allies against Germany. It does not mean, and I do not think it can mean, a permanent transfer of the transportation system to the ends of the Government. I am not one of those who believe that this temporary expedient will become a permanent national policy. That will be determined hereafter. Whether it does or not, Mr. President, for the purposes of bills like this it is safe to say that until such a permanent policy is established there will be no change in railroad policy as affecting water transportation. Therefore the Mississippi, the Ohio, the Missouri, and other great inland rivers which at one time were utilized very freely for purposes of transportation, may be improved until they are in a perfect condition and capable of carrying the largest boats afloat, but the expected benefits to transportation will not then materialize.

The railroad companies own a very considerable portion, if not the majority, of the real water fronts of the country on the coast and inland as well. Their acquisition of these advantages is intended to discourage water transportation quite as much as it is to aid the railroads in their methods of transportation. In Germany the strong hand of the Imperial Government has been used, and it was necessary that it be used, to divide the traffic between the water transportation system and the railway transportation system, and to compel the cooperation of the two to a common end. Without it the tremendous improvements there made would have failed of their object quite as completely as they have failed here.

A document issued by the Department of Commerce within the past six months tells us that during the 10-year period between 1906 and 1916 the tonnage on the Mississippi River and its tributaries decreased from 4,412,000 tons to 1,621,000 tons, or 63 per cent; and during that time I do not know how many hundred millions have been expended for river and harbor improvement. The same authority informs us that during that period a decrease of 24 per cent appears for canals and other inland waters. An average of these two percentages would be about 45; so that during our time of greatest improvement activity the tonnage upon our inland system—if I may so call it, our water system of transportation—has decreased fully 50 per cent.

Yet in the face of this, Mr. President, we are going ahead just the same, yielding to local pressure, invoking the recommendations of a board of engineers that, as far as I am able to judge, seems to be capable of favorably recommending almost any scheme on earth, and many of whose recommendations of the past, although carried practically to completion, have not materialized in benefits, notwithstanding the immense demands upon the Treasury at the present time for funds so sorely needed elsewhere. But I presume that the good work will go on and we will continue this carnival of expenditure and extravagance, notwithstanding these conditions, and unfortunately the basis of them will be that it aids in the prosecution of the war.

I wonder if we have enacted any bill carrying appropriations up to this time since the 6th day of April, 1917, which has not been based upon the theory or the pretense that it is designed for the prosecution of the war or necessary thereto? It is perhaps very trite to use the old comparison of "stealing the livery of heaven to serve the devil in" and apply it to the situation; yet it is perhaps the most appropriate one that has ever been penned so far.

I shall, as usual, record my vote against this bill.

Mr. FLETCHER. Mr. President, I trust the Senate will agree to this amendment, now section 9 of the bill, which was agreed to in the Committee of the Whole.

It is perhaps needless for me to say that I have no personal knowledge, except only as letters have come to the committee and contractors have appeared before the committee, as to the situation in which these contractors find themselves. The subject was raised before the Committee on Commerce by a delegation of eight or nine contractors on the Ohio River. I do not know them personally. I know nothing of the facts except as they gave them to us. This amendment was framed to cover all contractors doing the river and harbor work. It takes care of the situation on the Ohio River as well as all other contracts made in pursuance of the river and harbor bills.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from New Hampshire?

Mr. FLETCHER. I yield.

Mr. GALLINGER. Has the Senator information as to the probable appropriation which will be necessary to meet these obligations?

Mr. FLETCHER. The amendment provides that the amount shall not exceed \$2,000,000.

Mr. GALLINGER. Is it not fair to assume that if the contractors in connection with river and harbor work are compensated for losses that they have sustained we shall have to recognize all the contractors on every branch of work for the Government who may have sustained losses?

Mr. FLETCHER. Of course, that is a suggestion which probably holds good. This committee has only to deal with the particular subject before it, and I do not know myself how far this will extend. But I call the Senator's attention to the fact that this is not intended to reimburse the contractors for any loss. This provision is confined to an authorization to the War Department to readjust and modify contracts made prior to the war as to operations in the future after this act is passed.

Mr. GALLINGER. I understand.

Mr. FLETCHER. It has nothing to do with taking care of any losses that may have occurred heretofore.

Mr. GALLINGER. It simply provides against their sustaining losses in the future. I so understood it. I used the word "losses" with that meaning.

The thing that troubles me, if the Senator will permit just a word, is that this \$2,000,000 is simply the beginning. If we are going to guarantee the men who take contracts to build dikes and do revetment work and dredging and all that sort of thing in connection with rivers and harbors, we will necessarily and inevitably be compelled to do the same thing so far as other contractors having Government work are concerned.

Mr. FLETCHER. I do not know how far it will extend. There was some provision inserted in the Post Office appropriation bill to this effect, but I do not believe there is very much public building going on. I think contracts of that sort are pretty well suspended anyhow. I do not know how far it may go, but it is the estimate made by the engineers that to readjust and modify these contracts to cover future work by these contractors the expense can be brought within \$2,000,000. At any rate, it is limited to that, and they will have to come within that sum.

Mr. GALLINGER. They are limited to that for the present; but if it shall be found that the \$2,000,000 will not cover the necessities of the case, of course we shall be asked to make further appropriations. That goes without the saying.

Mr. RANDELL. Will the Senator from Florida permit me to ask a question of the Senator from New Hampshire?

Mr. FLETCHER. I yield.

Mr. RANDELL. I should like to ask the Senator from New Hampshire what he thinks ought to be done in the case of contracts for river and harbor work, or for naval vessels, or for supplies for the Post Office Department, or for any of the great works in connection with the Government which were entered into in good faith by citizens of this Republic prior to April 6, 1917, to be undertaken during the course of the following one, two, or three years, and which are now incomplete, and on which because of the war there is a greatly increased cost of carrying on those works, owing to the high prices of labor, the high prices of material of every kind, the higher price of food-stuffs, and of everything the contractors are obliged to use. I ask in a case of that sort does the Senator think that the individual citizen should be forced to carry out the contract even if it is going to impoverish him, or should the Government authorize the proper officer or officers to revise and recast the contracts for the uncompleted portion of the work?

Mr. GALLINGER. Mr. President, if the Senator from Florida will permit me I will reply in a very few words.

The individual citizen in a great many instances has been ruined in the past by making an unfortunate contract. The Government as far as I know has never reimbursed him. But however that may be, I have offered no objection as to the propriety or necessity of this legislation. What I wanted to get at, if I could, was the probability as to the future, so far as this matter is concerned. I take it that if the \$2,000,000 appropriated in this bill does not protect them all we will be asked to make a further appropriation. I have no idea that \$2,000,000 will accomplish the purpose the committee has in view.

Then, again, if we take care of these people I see no reason why we should not take care of every citizen of the Republic who has any dealings with the Government and who took contracts under similar conditions. So I was curious to know where it would lead us and what the probable expense would be ultimately. I think it will be, in place of \$2,000,000, five times \$2,000,000, and perhaps ten times \$2,000,000, before we get through with it; but I may be wrong.

Mr. RANDELL. If the Senator from Florida will permit me just a word more, we do not know exactly where it will lead. We took the best evidence we could. We had the assistance of Col. Newcomer, Assistant Chief Engineer, who told us that it possibly would amount to a million and a half, and

might run up to \$2,000,000; he could not say. But it was the feeling of the Commerce Committee that any unfortunate citizen who has uncompleted contracts entered into prior to the war ought to be relieved by appropriate legislation. We were told that in the case of the Navy some contracts were given which had several years to run and which had been recast. A prominent member of our committee told of an instance in which if the contractor had been compelled to complete his contract he would have suffered a loss of over \$2,000,000 on a single ship.

Surely this great Government ought not to require such awful losses to the citizen when the event is brought about by no act of that citizen; something he could not foresee. The citizen could not tell that this war was coming on. He entered into contract with the Nation in good faith prior to the war, and if subsequent to the outbreak of the war the contractor is going to suffer this awful loss the Nation ought to relieve him, it seems to me.

Mr. GALLINGER. The Senator talks about the citizen. Suppose we extend this to the citizens of our great country, and say that every man who took a contract in good faith not for the Government but in private business shall be protected. The morals of it are the same from my viewpoint.

Mr. THOMAS. And the reasons are the same.

Mr. GALLINGER. And the reasons are the same. This is a class of citizens, and there are many other classes of citizens who are exactly in the same fix.

Mr. FLETCHER. To continue, Mr. President, I call attention to the language of the amendment:

Any such sum as may be necessary to provide for the increased cost of the contracts due to said modifications and readjustments, not exceeding the sum of \$2,000,000, is hereby appropriated—

And so forth.

The department will be limited to that sum. The testimony before the committee was to the effect that when these contracts were made the contractors were able to get labor at \$1.35 and \$1.50 a day, perhaps as high as \$1.75 or \$2. Now they are paying for the same labor \$3.50 and \$3.75 and \$4 a day. Further, the testimony shows that the prices they have to pay are at least double former prices for material and labor—100 per cent or 125 per cent higher.

Of course, if the contractors had made a profit on a contract they would not have paid that profit back to the Government. I admit that. But here is a situation where contracts were entered into in 1914, 1915, and 1916, some of them going as far back as 1913. They have, especially since April, 1917, been subjected to conditions that they could not foresee and are not responsible for, which have imposed upon them these extraordinary increases in the cost of their work, so that many of them have already lost everything, practically, that they had when they entered into these contracts. Some of them now are in a position where they will have to discontinue the work because they are utterly unable to go on with it. In one instance one of the contractors told me his concern had lost \$600,000 already on their contract, and that it was three-fourths finished, so that they would get very little relief under this bill.

There is some consideration, it seems to me, to be paid in connection with these contracts. The contractors are not responsible for these conditions. Not only has the cost of labor and material enormously increased—from 100 to 125 per cent—but the difficulties of transportation, the difficulties of getting the material that they need, and that sort of thing, have been simply insurmountable in some instances. It is a question whether the public work in such instances will go on at all unless we can authorize the modification or readjustment of these contracts upon a reasonable basis as to the work that is to be done hereafter.

Mr. TOWNSEND. Mr. President—

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Michigan?

Mr. FLETCHER. I yield to the Senator for a question. I should like to finish. I am not going to take much time.

Mr. TOWNSEND. I can see a great deal of justice in what the Senator is saying and I ask him this question: Is it not true that in many cases some of the losses of the contractors have been occasioned by the very necessities of the Government itself, as to transportation facilities which have been required, so that the contractor is not to blame for it? It has not been an emergency which has been encountered in the ordinary processes of business, but the loss, as I said, has been occasioned in many instances by the necessities of the Government itself.

The Senator from New Hampshire [Mr. GALLINGER] suggested that it ought to be extended possibly on the same basis to private contractors. If private contractors are suffering, I should like to see some relief, if Congress can give it; I should like to see such contractors saved as much loss as possible; but in reference

to governmental matters I know what the Senator from Florida says is absolutely true, that many of the contractors are losing their all. It does not apply, as the Senator from Minnesota [Mr. NELSON] tells me, to past transactions, those that have been completed since the war began, but it simply applies to future transactions. It looks to me that the Government ought really, as a matter of even-handed justice, to be willing to relieve as much as possible from the ruinous condition which the war has imposed on these contractors.

Mr. FLETCHER. I think what the Senator from Michigan suggests is quite true, that the necessities of the Government relating to certain requirements as to transportation and as to material have brought about this situation to a large extent. As I said, the activities of the Government have created an enormous demand for labor and raised the price of labor of this sort very extensively, and the needs of the Government as to certain material and as to transportation facilities have been such that the Government itself is to a degree responsible for the increased burdens which fall upon these contractors.

I think it is fair and just in these circumstances for the Government to say we will authorize a modification of the contract covering operations after this bill becomes a law—not as to what has gone before, as that would involve an enormous expense, a tremendous amount of calculation, and a large variation of opinion as to just what the losses really were; and in that case we would have to take into consideration what the profits were, so as to have the matter equitably adjusted; but as to the future operations under these contracts, beginning away back in 1913 and 1914, all made prior to the war, prior to the existence of these conditions, it seems to me fair and just that we should authorize the Secretary of War or the Chief of Engineers and his force to make a fair and reasonable modification of the contracts.

I am going to leave the matter there for the Senate. It is a matter in which I have no concern whatever except in connection with this bill and with the testimony that developed before the committee. I believe there are instances where it would be an unconscionable thing to look to the bonds of these contractors in those circumstances and force them into bankruptcy, and in many instances it would be a great injury to the Government to compel them to stop their work. In such cases the Government would have to seek other contractors and we would have to pay the prices that now exist as to new work, and so forth.

So the Government is not losing anything, really, by this proposal, it seems to me. Unless this is done, there will be a necessity here and there to call for new bids and enter into new contracts with other people to carry on the work already contracted for by those who are now doing it, because many of them can not continue. In that event there will be necessarily a large additional amount that the Government will have to pay in order to complete the work.

So I do not believe that the Government would be out of pocket really if it readjusted these contracts to-day and allowed the modification of them, because unless they do it the Government will have to make other contracts at enormously advanced prices, and therefore would have to pay more money than the present contracts call for.

I think it is fair and just to make this arrangement. The contractors themselves, of course, would very much desire that this readjustment should relate back to April, 1917, and they have very good argument and reason to offer for that, but the committee has limited it to future operations and only to such work as is done after this bill becomes a law.

Mr. President, with reference to river and harbor legislation I perhaps may be permitted to say just a few words somewhat in reply to the observations of the Senator from Colorado [Mr. THOMAS] this morning. The Senator says that we ought not under any circumstances to enter into any new improvements that are not called for by our war necessities. That is precisely what is done in this bill. There is not a single new improvement provided for that has not been certified to as a war measure by the Secretary of War—absolutely none. Maintenance is provided for so as to prevent the wasting away of the improvements already made, and such work as is already contracted for and undertaken is proceeded with where it is certified to be an economy and a need. That is the principle upon which the bill is framed, so that every objection which can be made to this sort of legislation outside of the general objection that there ought to be no legislation of the kind is overcome by the very principle and policy upon which the bill is founded.

A remarkable speech was made in the Senate last Saturday by the junior Senator from Utah [Mr. KING], remarkable in many ways, because of its general denunciations of river and

harbor legislation, remarkable because of its display of lack of accurate information and as an evidence of misinformation on this great public question, the improvement and the development of the waterways of the country. The Senator proceeded to use such strong language in connection with this legislation, as corrupt, as criminal waste, as pork, and a dishonest, reckless misappropriation of public funds, robbery of the Treasury, and all such loose expressions and indictments as those words would imply. Those observations either meant, or they did not mean anything, that for the past 50 years—I think he went back as far as 100 years—this sort of abuse and criticism applies to every great Secretary of War this country has had, to every great Chief of Engineers that the country has had, because they have approved in ninety-odd per cent—I will say practically all—the items in the various river and harbor bills.

The indictment applies to every great Committee on Commerce we have had in the Senate—to such distinguished men as Frye of Maine, to my friend, the Senator from Minnesota, Mr. NELSON, and to other great members of that committee, which is one of the most important committees of the Senate. The denunciation applies also to the great Committees on Rivers and Harbors of the House of Representatives during that period—to the distinguished chairman of that committee, and to the members of that committee, which is one of the most active and important in that body. The denunciation applies even to the Presidents of our country, who have approved and signed these bills which have been denounced as corrupt, as robbery, as "pork," and as a reckless waste of public funds.

Why, Mr. President, it is perfectly absurd to make any such claim as that or to make any such sweeping denunciation respecting river and harbor legislation. What situation would we be in to-day, let me ask any reasonable man, if the Government had failed to appropriate money to improve the great harbors at New York, at Philadelphia, at Boston, at Baltimore, at Hampton Roads, at Newport News, at Norfolk, at Charleston, at Savannah, at Brunswick, at Jacksonville, at Key West, at Tampa, at Pensacola, at Mobile, at New Orleans, or at Galveston? The same, at Los Angeles, Portland, and Seattle? What would be the situation of the country to-day if we had not taken care of those harbors? The Government's obligation was to do it, because the Government controlled those navigable waters. The navigable waters of the country were not within the jurisdiction of the States. Individuals could not interfere; individuals could not develop them or improve them; the States could not do it, because they were, as highways of commerce, under the control and jurisdiction of the Federal Government. Therefore the responsibility rested upon this Government to improve and develop them. What would be our situation if we had not built the Soo Canal? What about the great commerce on the Great Lakes—the most stupendous and the least expensive water-borne commerce in the country—if we had not improved the ports and harbors on those lakes? It is perfectly absurd to claim that there has been any mistake about the policy which we have been pursuing in taking care of the navigable waters of the United States.

The same rule applies to the rivers which empty into these harbors and which are tributary to these ports. We would have been in a weak and defenseless position to-day but for the policy which we have pursued.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from New Hampshire?

Mr. FLETCHER. I yield to the Senator from New Hampshire.

Mr. GALLINGER. The Senator from Florida is criticizing another Senator, and I have nothing to say about that; but I will ask the Senator if he recalls a time when any of us who have criticized river and harbor bills ever placed ourselves in antagonism to the harbors of the country or the great rivers of the country in the matter of legislation?

Mr. FLETCHER. Mr. President, there have been—

Mr. GALLINGER. A word further. The Senator will recall the fact that two years ago some of us opposed a river and harbor bill then pending with some earnestness, contending that there were items in it which were not necessary; that the proposition was to expend money on small streams and creeks and rivulets that never could bear any commerce. The result of that opposition was to reduce the bill \$30,000,000; and even those who were most anxious to have the bill passed in its original form concluded that they had better accept that modification. I do not know that any harm has come to the country through the saving of those \$30,000,000. So some of us who are disposed to criticize the present bill are of opinion that there are a great many little streams which are named in this bill for which small amounts are proposed to be appropriated for main-

tenance that might just as well be dropped entirely from consideration in river and harbor legislation. They will never amount to anything. We may expend just as much money as we please on them, but there will be no commerce on them.

Mr. FLETCHER. Mr. President, let me say to the Senator from New Hampshire that all I ask of opponents of this legislation, and all I have ever asked of those who have fought river and harbor bills on this floor, was to specify. Why do you not point out the rivers and streams and creeks, as you call them, that ought to be eliminated from the bill?

Mr. GALLINGER. Mr. President, we did that two years ago, and as a result the bill was reduced. I do not recall the exact amount of the reduction.

Mr. FLETCHER. But that reduction amounted to nothing; it was simply a postponement. The money which was then provided in the bill is going to be expended.

Mr. GALLINGER. The names of those streams have never appeared in a bill since then, and they are not in the pending bill. Those appropriations were taken from the bill as a result of that discussion.

Mr. FLETCHER. There is not one of those small items which was stricken from the bill; they are in the bill here to-day, except as to some projects which have been recommended but have not yet been adopted by Congress, as they will be when normal times come; and they are going to remain in this bill until the improvements are properly taken care of. Talk about the saving to the country of \$30,000,000! That is an absurdity; it is perfectly ridiculous. You save nothing; you simply postpone the day when that money will have to be spent upon your rivers and harbors. It has got to be spent, and a part of it is carried in this bill now.

Mr. GALLINGER. We are not talking about this bill; we are talking about scores of little streams—

Mr. FLETCHER. I know, Mr. President. There have been Senators on this floor who have stood for the development of harbors, and the railroads of this country have favored the improvement of harbors because they offered them terminals. The railroads have wanted the harbors improved; but where will you find a railroad that wants a river or a canal as a competitor in the transportation business?

Mr. GALLINGER. Mr. President, the Senator from Florida is not doing me justice.

Mr. FLETCHER. I am answering the Senator.

Mr. GALLINGER. I am not talking about highways which compete with railroads; I am talking about these insignificant small streams. The Senator from Florida knows what I am talking about.

Mr. FLETCHER. I know perfectly well what the Senator is talking about, and I am answering him.

Mr. GALLINGER. The Senator from Florida knows that bill was reduced from over \$70,000,000 to \$30,000,000. Those appropriations were then discontinued because of the opposition made to them, and they have not appeared in river and harbor bills since then. The Senator on Saturday said that these little appropriations were merely for maintenance.

Mr. FLETCHER. Yes; they are.

Mr. GALLINGER. But they are not the kind of appropriations that were in the river and harbor bill two years ago.

Mr. FLETCHER. Yes; they are. I am simply asking the Senator to name the items in the bill to which he objects. I am perfectly willing to go over every item in this bill with any man.

Mr. GALLINGER. I called attention to some of them the other day, and so did the junior Senator from Iowa [Mr. KENYON], naming them. I think very likely I could call attention to them to-day, but I do not care to take the time to do so.

Mr. FLETCHER. The reason which was urged for opposition to the bill by the Senator from Iowa and the reason now urged for opposition to the bill by the Senator from New Hampshire apparently is that there are insignificant matters taken care of by the bill—matters which are insignificant in amount and insignificant as to the waterways.

Mr. GALLINGER. Yes.

Mr. FLETCHER. If those Senators favor economy, if they object to the bill because it appropriates money, why object to it because it does not appropriate enough, or why object to it because the appropriations are insignificant?

Mr. GALLINGER. This is not the time to do it. We did that two years ago, and, as I have said, reduced the bill from over \$70,000,000 to \$30,000,000; and the Senator from Florida knows that. The Senator ultimately agreed to it, because the President thought it was a wise thing to do.

Mr. FLETCHER. I do not remember that. The Senator from Utah [Mr. KING] quoted from the speech of Mr. Burton on Saturday, I believe, and yet the last bill reported to the other House by Mr. Burton, as chairman of the Rivers and Harbors

Committee of that House, carried something over \$80,000,000—the largest appropriation ever carried in any river and harbor bill in the history of the country. The former Senator from Ohio was quoted as authority for these alleged extravagances and wastes that are now going on under a bill which carries less than \$20,000,000, while the bill to which the Senator refers carried about \$45,000,000, as I remember.

Mr. GALLINGER. It carried more than that.

Mr. FLETCHER. Perhaps it carried \$47,000,000. I am contending, however, that we have not saved any money. The amount of the appropriation was subsequently reduced in another bill, but none of the items in that bill have gone off the record. That money will be eventually appropriated by Congress, because it provided for improvements which will be needed and ought to be made.

It is simply a postponement of the appropriation, so far as river and harbor improvements are concerned; it has not saved the country anything. If I contemplate to-day buying a new pair of shoes, but, after thinking it all over and viewing the size of my bank account, I say, "I guess I will get along with the old ones a while yet," and I do not buy the shoes to-day, I have not saved the price of the shoes, because eventually I will have to have those shoes. It is the same way with reference to the alleged saving of \$30,000,000. That money has eventually got to go to these improvements, and it will go to them; there is no question about that.

I am not deterred by the general denunciation of river and harbor legislation and by the cry of "pork" with reference to what this country is going to do. The people of this country will say that these waterways are important, and this means of transportation, these facilities for taking care of the commerce of the country, are going to be provided. You may postpone them for a while, you may mislead some people about them for a while, but the people are going to insist upon these improvements, because they mean everything to our prosperity and welfare. You can not get along, you can not do the business here at home, let alone abroad, in a commercial way, you can not move the products of this country, you can not get commodities from the producers to the consumers and from the manufacturers to the dealers and consumers unless you provide means of transportation, and this is one of the means of transportation that the people are going to insist upon being provided.

I am in favor of good roads, I am in favor of railroads, I am in favor of providing every means of transportation that it is possible to provide with any reasonable outlay on the part of the Government. This outlay is incumbent upon the Government, because the Government controls the navigable streams of the country.

So, Mr. President, this general denunciation of river and harbor legislation, the characterization of it as corrupt, as criminally wasteful, as lacking in good faith and honest dealing with the public funds, is based upon just that sort of information that would be submitted to an expert, for instance, who was called upon to give his opinion as to the water-power possibilities of Great Falls if all the data handed to him consisted of a bucket of water out of the Potomac River. The basis for the denunciation of river and harbor legislation, the general broad denunciation that is indulged in and the cry of "pork," the indictment and the criticism of public officials, committees of Congress, and the friends of this kind of legislation is comparable to the situation if an engineer were called upon to give an expert opinion whether the improvement of a given river is commercially justified, without furnishing to him information as to the depth, the width, and the volume of water in that river. There is no foundation at all for this denunciation; there are no facts upon which to base it; it is just a general, broad, sweeping denunciation.

Mr. President, I dislike to discuss the speech of the junior Senator from Utah [Mr. KING] in his absence; it is not in the Record; but I heard it, and I do not feel that it ought to be passed by without some response, because he himself said that a good many of the statements which he quoted from others had never been denied; and I do not want any writer or speaker in the future to be able to point to the language used by the Senator when it is printed in the Record and to say that nobody denied or questioned any of those statements. I say there is no foundation whatever for that remarkable exhibition of general denunciation and criticism. Both the Utah Senators, I am afraid, are rather vying with each other these days in their attitude toward river and harbor legislation; they are outstripping Don Quixote in his palmiest days when he was fighting windmills; but the junior Senator from Utah has no pacemaker either in history or in literature, unless it be that fellow who, the newspapers told us a short time ago, undertook to ride up the west Capitol steps on his horse, with the intention of proceeding right into the Halls of Congress in an effort to "teach Congress confidence and horse sense." He was

prompted by a high sense of public duty, similar to that which the junior Senator from Utah was laboring under, I take it. The idea of the man on horseback was that he was to represent confidence and the horse was to represent horse sense. So on Saturday the junior Senator from Utah rode into the Senate on his hobby of economy and reactionary conservatism. He himself represented superiority—superiority in wisdom, superiority in integrity, superiority in patriotism, superiority in information, superiority in broad statesmanship, superiority in his conception of fiduciary responsibility.

Mr. President, it may be that that Senator can reach some people in this country with that sort of thing, but I think he underestimates the intelligence of the American people. He must figure that the average intelligence of the people of the United States is that of a 5-year-old child, and he assumes, I presume, that below that age he would be able to find some believers. At any rate, there was no justification whatever for that assault; and the general, broad denunciations of legislation of this kind have just about as much basis as I have indicated in the reference to the observations of the Senator from Utah.

I believe, Mr. President, I will not take up further the time of the Senate. I felt like saying this much, and for the present I leave the matter there.

Mr. BANKHEAD. Mr. President, like every other question, the question we are now discussing has two sides to it. The contractor is on one side and the Government is on the other. It is the duty of the Commerce Committee of the Senate to look after and take care of the interests of the Government when they are preparing river and harbor legislation. The purpose of this provision of the bill was to take care of the Government of the United States and to save it from a very great loss financially. Now, why?

The contracts that are under discussion were made before the outbreak of the war. The bill does not have reference to any other class of contracts. If the Government, having made these contracts in good faith on the part of the Government and the contractor before the beginning of the war, were literally to enforce the contracts, what would happen? These contractors, Mr. President, under existing conditions, can not comply with their obligations. They can not complete the work in which they are engaged without a financial loss of such a character as would put them into bankruptcy, perhaps most of them. Now, if the Government of the United States is going to stand firmly for the enforcement of these contracts according to the terms of the contracts, the result will be that the Government will have to take over these contracts. They will have to declare them forfeited, or the contractors will have to surrender them. Most of them have nominal bonds. I do not know to what extent their bonds cover the amount of their contracts, but the question is whether they are enforceable or not, whether they can be collected or not; and if they can be, we all know that it will be at the end of a long lawsuit. So in order to save the Government, as we saw it, from a heavy loss, we provided that the Government of the United States might readjust these contracts in such a manner as to save the contractors from bankruptcy, if possible, in an amount not in excess of \$2,000,000.

Our deliberate judgment, Mr. President, was and is that if these contracts are to be surrendered and the Government of the United States must readvertise and relet these contracts, it will cost five or ten million dollars more than the expenditure we proposed in this bill to remedy the situation which is \$2,000,000. That is the whole case as I see it.

It is up to the Senate to say whether or not in justice to the Government this step should be taken. I dismiss the contractor. I make no defense for him. I am not here to plead his cause or to take care of his interests. My business is, as a member of the Commerce Committee and as a Member of the Senate, to take care of the Government as best I can. In doing that I am willing to be fair and just to the citizen; that is all. Our conclusion was that if the Secretary of War, through the Chief of Engineers, was permitted to readjust these contracts along fair and reasonable lines, he might perhaps save a number of these contractors from bankruptcy, and at the same time save the Government of the United States many, many millions of dollars, because, since material and labor have advanced from 75 to 100 per cent, and as a result of the difficulties accruing from the impossibility of transporting materials, the whole business of them will be in bankruptcy, and the Government in the end will have to take over the work and complete it at a cost many, many million dollars more than it can be completed for under the provisions of this bill; and that is why this section is in the bill.

Mr. POMERENE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Ohio?

Mr. BANKHEAD. I do.

Mr. POMERENE. Can the Senator inform me as to what will be the probable cost of completing the contracts that are now unfulfilled at the contract prices, and what it would cost at present prices?

Mr. BANKHEAD. Mr. President, I am sorry that I can not give the Senator from Ohio the correct and definite information; but the conclusion of the committee was—and we were aided in reaching that conclusion by the representative of the Chief of Engineers who was before the committee—that these contracts might be readjusted in such a way that all of those now in existence that come within the terms of this bill could be completed for a sum not exceeding \$2,000,000 in excess of the present contract prices.

Mr. President, that is the whole case. The Senate can say whether or not they are willing to trust the War Department, through its Chief of Engineers, to investigate this whole question, to take up all of the contracts that come within the provisions of this bill and readjust them in such a manner as to save the contractors from bankruptcy and save the Government in that way many millions of dollars.

It must be borne in mind that these contracts were all entered into before the war. Some of them were made in 1913, 1914, 1915, and so on. They have not been completed. This section does not apply to any other class of contracts. It applies only to those entered into before the war. I insist, Mr. President, that it is good legislation. I insist that it is the only means I can conceive of; it is the only means that the Engineering Department, representing the Secretary of War, could suggest, that would save the Government in the end, as I have already said, many, many millions of dollars, perhaps ten or fifteen, if they have to take over these contracts and execute them now, with the increased cost of materials and labor and the difficulties of transportation.

There is one other observation that I want to make, and then I shall be through.

There has been a great deal said during this discussion about the provisions of this bill that look to the improvement of "creeks"—we call them down in my country "creeks," but I recognize the name—and sloughs. At first blush one would say: "Why are you improving a creek or a slough where there is no commerce?" It is fair to suppose that on these creeks and sloughs there is no commerce, and that none can be carried over them, but if you will examine the reports of the engineers with reference to these matters you will get real information.

For instance, take Cooper Creek. It carries five and a half million dollars of commerce annually—more commerce than a great many so-called rivers of the country carry—at a very small appropriation. This creek is one of those waterways that lead up into an industrial section where transportation is absolutely necessary for the conduct of their business and to get their products out to a market. Its maintenance is appropriated for together with a string of creeks—five or six that have been mentioned—that are in the same category. They are grouped for convenience. Some of these creeks may have no money expended upon them, because the engineers may not deem it necessary, but there are others where they will deem it necessary and they can spend this appropriation on them. Those creeks that have been so severely criticized carry annually \$5,000,000 of commerce that can not be gotten to a market in any other way. There are no railroad facilities which can carry to a market the products of the country that these creeks traverse. They must rely upon this water transportation to get their products to a market, and it amounts to more than \$5,000,000 annually.

Mr. GALLINGER. Mr. President—

Mr. BANKHEAD. I yield to the Senator.

Mr. GALLINGER. Does the Senator refer to the group when he makes that statement?

Mr. BANKHEAD. I mean that particular group; yes.

Mr. GALLINGER. Some of them carry comparatively little.

Mr. BANKHEAD. Oh, some of them carry comparatively little, and those perhaps will have none of this money expended on them.

Mr. GALLINGER. Will the Senator, who is always frank in his discussions in the Senate, tell the Senate the character of this commerce?

Mr. BANKHEAD. I have not got it here. The reports show it, but I have not got it with these figures. I do not know exactly what the character of the commerce is. All I know is the total. It does not make much difference what the character is if it has the value.

Mr. GALLINGER. It makes a little difference whether it is saw logs, which might be floated down the stream, or whether it is oysters, which is one instance.

Mr. BANKHEAD. There is nothing we need now more than saw logs. They are a war necessity.

Mr. GALLINGER. I understand, but in our country we have water enough to float them down the streams.

Mr. BANKHEAD. Unfortunately, we have not; but then you have not the trees. That is the difference.

Mr. GALLINGER. Oh, yes, we have.

Mr. BANKHEAD. You have not any trees up there that are big enough to build ships like we have.

Mr. GALLINGER. When the debate was on before, when these creeks were referred to—by the way, I pronounce the word "creeks"; is that correct?

Mr. BANKHEAD. I do not know what the correct pronunciation is. We call them "creeks."

Mr. GALLINGER. I think that is right.

Mr. BANKHEAD. I recognize the name, whatever you call them.

Mr. GALLINGER. During that debate it was shown that in a great many instances the commerce was inconsequential.

Mr. BANKHEAD. I think that is true.

Mr. GALLINGER. And that it was made up of saw logs and various and sundry other things that might have been transported, and in our country are transported, in another way.

Mr. BANKHEAD. Yes. That may be true, but we have not got the other way.

Mr. GALLINGER. But apparently where there are these little streams that are hardly big enough to float a canoe the Government is asked to make an appropriation for them, so as to get down the little commerce that could be transported, possibly at a little greater expense, in some other way. That was the criticism that we made.

Mr. BANKHEAD. I am not objecting to the criticism.

Mr. RANSDELL. Mr. President, if my colleague will permit me—

Mr. BANKHEAD. I am through.

Mr. RANSDELL. I have the report here before me, and I can show what the commerce was.

Mr. BANKHEAD. Mr. President, I yield the floor.

Mr. RANSDELL. Let me help the Senator out with this, if he pleases.

Mr. BANKHEAD. Yes; I am glad to have the Senator do so.

Mr. RANSDELL. The Senator from New Hampshire asked what the commerce was. These creeks—Fishing Creek, Contentnea, and Swift—all appear on page 5 of the bill. There are a number of other items in that same appropriation; but the report of the Chief of Engineers, on page 559, shows that in 1915 Fishing Creek had a commerce of 2,450 tons, valued at \$34,926. Under the head of "Commercial statistics," the report says—

Mr. GALLINGER. Can the Senator tell, as he goes along, how much money has been expended on those several creeks?

Mr. RANSDELL. Let me answer one thing at a time, if the Senator pleases. The commerce consisted of cotton seed, cottonseed meal, and timber. The report does not give the exact amount. It says that the timber was rafted. I can not find the total amount expended. This does not show.

Now, I want to show the commerce on the next one here, Swift Creek. The commerce on that creek in 1916 was 21,781 tons, valued at \$324,309. The principal items of commerce were cotton, cotton seed, general merchandise, fertilizer, and timber.

In the case of the other one, Contentnea Creek, page 573 of the report shows that the commerce in 1916 was 7,447 tons, valued at \$148,150; and that commerce, it says, was carried in steamers drawing from 3 to 4 feet, except timber, which was rafted. The principal articles of commerce were cotton, cotton seed, cottonseed meal, fertilizer, and timber.

Those were the creeks which I think the Senator alluded to as not having water enough in them to float a bar of Ivory soap.

Mr. GALLINGER. No; the Senator is wrong.

Mr. RANSDELL. The fact is that they have considerable commerce on them.

Mr. GALLINGER. The Senator is wrong. I may have said that two years ago.

Mr. RANSDELL. The Senator said something about Ivory soap the other day.

Mr. GALLINGER. Yes; I did. I said there were streams that would hardly float a cake of Ivory soap.

Mr. RANSDELL. The Senator spoke of the items that were referred to by the Senator from Iowa [Mr. KENYON]. He mentioned the Kissimmee River in Florida, the Caloosahatchee, and

the Withlacoochee, in addition to the three I have just referred to.

Mr. GALLINGER. If the Senator will permit me, I want to secure a little information about Contentnea Creek.

Mr. RANSDELL. All right. I have it here. I shall be glad to try to answer the Senator.

Mr. GALLINGER. The Senator suggests that that creek conveyed a little over 7,000 tons during the year?

Mr. RANSDELL. That is true.

Mr. GALLINGER. Can the Senator tell us just what has been expended on that creek, not this year, but since that vast improvement commenced?

Mr. RANSDELL. The report does not show it. If I can find it, I will give it to the Senator and put it in the Record. The report does not show it, but I want to say to the Senator that the item there in which Contentnea Creek appears reads thus:

Manteo Bay, Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers, Fishing, Contentnea, Swift, and Smith Creeks, and waterway connecting Swan Quarter Bay with Deep Bay, N. C.: For maintenance, \$19,200.

There are a number of waterways in this item. The total appropriation for the whole is \$19,200, and there is a very large commerce in the aggregate on them. It is true that Contentnea Creek had only 7,447 tons, but in the aggregate the commerce of all those creeks runs very considerably into the millions, and into a large tonnage, and we are appropriating very little money for them.

Mr. GALLINGER. Will the Senator take the other items in that same schedule and tell us something about them? He has cited three. I think there are some other items in that same schedule, are there not?

Mr. RANSDELL. Yes, sir. There is Fishing Creek, which I have just read to the Senator, and Swift Creek and Smiths Creek.

Mr. GALLINGER. What are the others?

Mr. RANSDELL. Those seem to be the only creeks in this item. There is Manteo Bay, and then there are the Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers. Those are rivers, and then there are four creeks—Fishing Creek, Contentnea Creek, Swift Creek, and Smiths Creek.

In regard to the improvement of Contentnea Creek, the report shows that—

The work of the year consisted of snagging for the purpose of clearing the natural channel of obstructions from the mouth to Snow Hill, 32 miles above. This work was carried on entirely by Government plant and hired labor, at a cost of \$1,010.72. The U. S. hoister Contentnea began operations on this stream on February 1, 1917, and to March 10, 1917, removed a total of 38 large logs, 11 stumps, 33 snags, 22 saw logs, and 9 trees from the channel, and cut and hauled back 37 trees from the banks. This work was accomplished at a cost of \$942.88, which gives a unit cost of \$6.285 per obstruction or threatened obstruction removed. Other expenditures were \$67.84, and were in payment for superintendence and main-office expenses.

I want to say just a word about the other items there.

The Kissimmee River in Florida, the Caloosahatchee in the same State, and the Withlacoochee were criticized as worthless creeks. On the Kissimmee River in 1916 13,625 tons were carried, valued at \$410,142. On the Caloosahatchee River, in the same year, 55,304 tons were carried; and please listen, Senators, to the value of that commerce—\$3,214,943. On the Withlacoochee, in 1915, the commerce was 20,789 tons, valued at \$195,186.

In other words, those three creeks or small streams, or whatever you may choose to call them, carried over 4,000,000 tons of commerce.

Now, let me read this item to the Senate. It appears on page 7 of the bill:

Kissimmee, Caloosahatchee, Orange, Anclote, Crystal, Withlacoochee, and Suwannee Rivers, Charlotte Harbor, Sarasota Bay, and Clearwater Harbor and Boca Ciega Bay, Fla.: For maintenance, \$4,000.

For all the enormous commerce on these three small streams, for the commerce of several harbors and the other streams, some very large and important rivers, we give only \$4,000. The criticisms are absolutely without foundation. The bill could not have been framed on more conservative and wise lines than this bill has been framed.

Mr. FLETCHER. If I may interrupt the Senator, I ask him whether he will verify this statement. A good deal has been said about the loss of tonnage on these waterways, canals, and rivers in volume. That is the general statement as made by the Senator from Colorado [Mr. THOMAS] this morning, to the effect that there had been a decrease in the amount of tonnage on the inland waterways of the country. I ask the Senator whether he will verify the opinion which has been expressed to me by those who ought to know and do know that whereas the volume of tonnage may have decreased the value of tonnage

has not decreased in that way, that in most instances the value of the tonnage on the contrary has increased.

For instance, the farmer to-day, instead of going to market with his hay, corn, and bulky stuff, carries to market pigs, cattle, butter, chickens, eggs, and a few things that he makes at home. So in transporting these products, whereas the tonnage may show a decrease, the value of those products has enormously increased, and the transportation is needed just as much now for those products as for the more bulky products that the farmer carried—hay and corn—which he now converts into pigs and cattle.

Mr. RANDELL. I should like to say, in reply to the Senator, I think he has stated the case absolutely fairly. Commerce has diminished, beyond any question, on some of the larger rivers, notably the Mississippi River. There is not as much commerce on the Mississippi River as there was many years ago, and not as much commerce on the Ohio River as formerly. The reason is perfectly apparent. Railroad lines parallel the river on both sides, and those railroads have driven the boats out of business. There is no doubt about that; but taking the country as a whole, I am convinced from my study of the subject—and I have studied it as well as I could for a number of years—there is a great deal more commerce carried on our waterways than ever before. As the Senator from Florida says, it is very much more valuable commerce. There is a little river in my own State not even referred to in this bill. It is the Terrebonne. I was told when I visited it several days ago that there are over 1,000 boats on that little river. They do an immense business down there. It is a local business, if you please. There is no railroad there. They have one of the best shrimp canneries in the world; they can more oysters there than in any place I know of. There are a number of big sugar factories there. There are plants of every kind on that little river. It is not even mentioned in this bill.

So it is in other States. There is a big commerce, especially on these little streams that are referred to as creeks. They are streams which are exceedingly valuable to the people living on their banks. As a rule, they furnish the only transportation for the people. The railroads are not convenient, or if they be convenient the little streams furnish a means of transportation up and down to railroad points, and the amounts are ridiculously small compared with the value of the great commerce on these small streams.

It is not the small streams that ought to be criticized, if any are to be criticized; it is some of the larger streams, on which the commerce has been driven away because of railroad opposition.

I agree with some of the Senators who say we are not going to get the waterways properly used until we regulate, in a very stringent manner, the railroads of this country or take them over. I for one would hate to see them taken over by the Government. Strong advocate as I have always been of waterways, I want to see a wise, proper, businesslike development of every means of transportation we have. I want to see the individual do whatever he can. I am not one of those who would like to see the Government go into every business under the sun. There is enough commerce for all. The waterways, the highways, and the railways all ought to be used wisely, and the railroads should be prohibited from driving the commerce off the waterways by unfair, improper competition.

Mr. VARDAMAN. Mr. President, the wisdom of improving and maintaining the system of water transportation has been proven by experience in this country and every other country in the world where the experiment has been made. It is a tribute to the wisdom and vision of the great railroad magnates and captains of industry that they discovered some years ago the unwisdom of attempting the destruction and prohibition of river transportation. As a matter of fact, the growing commerce of this country, the increase in population, and the conditions of modern civilization demand all the means of transportation both by rail and water available to meet the demands of our increasing trade. These facts are so well known that any lengthy discussion at this time would be entirely out of place and a needless consumption of the Senate's precious time. If there is any graft in this legislation, as has been suggested, no particular section of the country has a corner on it. Really there is no piece of legislation considered by the Congress at this or any other session more general in character than this. You can take the map of the United States—a map of ordinary size—and put a silver dollar on any place on that map and it touches some project provided for in this bill. Beginning on the eastern coast of Maine and going entirely around the Republic to Alaska you will find every State with a water front interested in this bill. The same is true with reference to the States located in the interior. Every river

that bears upon its bosom commerce in which the people are interested, every lake with a port and canal which our commerce needs, is provided for in this bill. It is nation-wide in its scope and universal in the opportunities which it is intended to afford.

But I did not rise for the purpose of defending this bill against the immature criticisms, the unwarranted animadversions upon it, and the ill-tempered attacks that have been made by honorable Senators. It is an easy matter to get up and plant oneself on the circumference of universality and "cuss out" creation. Denunciation is easy and criticism requires no special information or technical knowledge of the subject criticized. For my own vote upon this bill I am perfectly willing to leave to the common sense and patriotism of my constituents to determine the correctness of it. But I want to say just a word with reference to the amendment pending before the Senate. It is not the policy of this Government, as I understand it, and never was, and I trust never will be, to drive a hard bargain with its citizens. I do not suppose there is a man living beneath the Stars and Stripes who has quite as much contempt for the craven profiteer or the patriot for pelf, for the man who would plunder and rob his Government, as I have. I think a man who would take advantage of the present emergency brought about by the war to rob and plunder the public is an enemy to the Government and ought to be treated as such. But when men who have taken contracts to do Government work before war was declared, when conditions were so different from what they are to-day, find themselves up against a situation that could not have been anticipated or avoided and to whom it means ruin if the contract shall be enforced, it is perfectly proper for the Government to see that justice shall be done them and save them from bankruptcy. I differ somewhat from the able Senator from Alabama [Mr. BANKHEAD] with reference to the duty of Senators in the matter of protecting the interests of individuals when the interest of the Government is also involved. I deem it quite as much my duty to insist that this Government shall deal justly with the private citizen as it is my duty to see that the private citizen shall deal honestly, patriotically, and justly with his Government.

Now, I do not know personally a single individual who asks relief under the terms of this amendment. I am not interested in any contractor or person to be benefited by the adoption of this amendment; but I do know that conditions have changed, and as conditions have changed it becomes necessary that the Government should modify this contract. To fail to do so, in my judgment, would be the acme of injustice. There is a moral obligation resting upon Congress to see that those men who have entered into contracts with the Government to do Government work prior to April, 1917, which contracts are yet to be executed, are not destroyed on account of the change which the war has brought about. It is insisted that a large amount of money, larger than we probably anticipate, will be necessary to meet or carry out the purposes of this amendment. The amount cuts no figure. A moral obligation can not be measured by dollars and cents. A private individual whose moral obligations are determined by pecuniary consideration is a dishonest man, and I hold that the same moral code should guide governments in dealing with individuals that we insist that our fellow man should observe in their business intercourse with each other.

I think we can safely trust the Board of Engineers to see that absolute justice is done, or as nearly as is possible for human intellect to see that justice is done. Certainly these trained, watchful, patriotic, faithful servants of the Government may be relied upon to see that the Government shall not be robbed and to see also that the Government of the United States shall not withhold from the private citizen anything which of right belongs to that citizen.

Therefore I think the amendment ought to be adopted, and I trust the Senate may agree to it.

Mr. POMERENE. Mr. President, the other day something was said about the dangerous character of legislation of this kind. As a general proposition it is dangerous. If the losses these contractors will probably sustain had been due to any miscalculation of their own, I would feel differently about it; but when they entered into these contracts before war was declared they did it with the reasonable expectation of being able to get labor and material at the current prices or at least that they would not differ materially from what the prices were at the time the contract was entered into.

I have personally had an interview with a member of one of the contracting firms and their lawyer, and I think I am within the truth when I say that unless some relief is granted by the Government this contract will not be completed by the contractors, or if completed it will be at the expense of the bonds-

men, and it will leave the contractors bankrupt. I am satisfied that this contractor and his bondsmen would be very glad to complete the contract under normal circumstances at their own expense, but I do not believe that the great Government of the United States expects the work to be completed, when the prices have been increased as they have been during the last year, due to the war, at a cost that may bankrupt these people.

I do not believe anyone who will pass through the locks and dams on the Ohio River after they shall have been completed would receive any satisfaction from knowing that in their building certain men were made bankrupt by act of war. I think the committee has very carefully guarded the Government against any excessive allowance which may be made. It is my belief that the American people do not want this man and his bondsmen to be bankrupted under the circumstances.

For these reasons I shall support the amendment.

Mr. LENROOT. Mr. President, a short time ago the Senator from Ohio [Mr. POMERENE] asked a question as to the aggregate amount of contracts that would be affected by this amendment. The committee had reports from the Board of Engineers upon that subject, and the committee reported that of the contracts let prior to the entry of the United States into the war but remaining uncompleted on the 1st day of April this year the aggregate was \$4,387,000.

Under this amendment it will be very much less than that, because the adjustment can only be upon the portion of the contract remaining not completed at the time this act is approved. So it is fair to say that the total amount will not be more than \$4,000,000, and it was testified by Col. Newcomer that, in his judgment, the amount that will be required to readjust these contracts upon an equitable basis would be somewhere between one and a half million dollars and two million dollars.

I wish to say a word, however, with reference to the position taken by the Senator from Alabama [Mr. BANKHEAD]. He stated that he favored the adoption of this amendment solely in the interest of the Government; that in his judgment the adoption of the amendment would save the Government millions upon millions of dollars; and, if I understood him correctly, he undertook to state to the Senate that that was the actuating motive of the committee in recommending the amendment to the bill. That is the first intimation I have had that this amendment should be adopted upon any such theory as that. It was not urged before the committee. It was urged solely as a measure of justice to the contractors, and that is, I think, the basis upon which it ought to be considered by the Senate. Indeed, if it was from the standpoint of the interest of the Government, this amendment is not necessary, because the Secretary of War now has full authority to readjust any river and harbor contract where in his judgment such readjustment will be advantageous to the United States.

So this amendment should be considered solely upon the question whether it is fair and just to the contractors who prior to our entry into the war entered into these contracts. It was represented to the committee that in the Navy, for instance, under a power they already have, on account of the increasing cost of work previous contracts were canceled and new contracts given upon the basis of the increased cost of work. We know that in contracts by the Shipping Board provision is made in the contract itself for a readjustment from time to time depending upon the increased labor costs.

So it seemed to the committee, and I think that was the basis of its recommendations, that it was only fair to give to these contractors the same consideration that is given to contractors for the Navy, contractors for the Emergency Fleet Corporation, and thus do justice to this class of contractors as well as to others.

The PRESIDING OFFICER (Mr. KELLOGG in the chair). The question is on concurring in the amendment made as in Committee of the Whole.

Mr. CURTIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	France	Kirby	Page
Bankhead	Frelinghuysen	Lenroot	Phelan
Beckham	Gallinger	Lewis	Pittman
Borah	Gulion	McCumber	Poindestere
Brandegge	Harding	McKellar	Pomerene
Calder	Hardwick	McNary	Ransdell
Chamberlain	Henderson	Martin	Robinson
Cummins	Hollis	Myers	Saulsbury
Curtis	Johnson, Cal.	Nelson	Shafroth
Dillingham	Jones, N. Mex.	New	Sheppard
Fernald	Kellogg	Nugent	Shields
Fletcher	Kendrick	Overman	Simmons

Smith, S. C.	Swanson	Townsend	Wadsworth
Smoot	Thomas	Trammell	Walsh
Sterling	Thompson	Underwood	Willey
Sutherland	Tillman	Vardaman	Wolcott

Mr. CURTIS. I desire to announce that the Senator from Iowa [Mr. KENYON] is absent campaigning for the Red Cross. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Sixty-four Senators have answered to their names. There is a quorum present. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. SMOOT. Mr. President, I sincerely hope that the amendment in its present form will not be concurred in. It could be written so that it would not be so open to abuse as this amendment is.

Senators will remember that there is no limit upon this amendment as to what the extra cost might be. The Senator from Ohio [Mr. HARDING] in offering his amendment for the same purpose limited the amount of cost that it could be over and above the contract price, but to this amendment there is no limit. It is an invitation for every contractor on river and harbor work in the United States to make the cost just as high as possible, to take care of all their relatives and all their friends and all the officers of the association, if it is an association or company that is doing the work, and the Government will pay for it.

I recognize, Mr. President, that it is costing more to do work to-day than it did in 1913 or 1914. Nobody will deny that. Contracts that were made two years ago are costing more to-day than if the work had been done at the time the contract was taken. But here, Mr. President, is a proposition that, no matter what the extra cost piled up, the Government is to pay for it.

Senators know what comes from the 10 per cent plus proposition. That is nothing compared to this. Senators talk about \$2,000,000 being sufficient. It will only be the beginning of what it is going to cost the Government of the United States. If you once embark upon this plan there will be no end to paying the claims made against the Government until the last one is made, no matter what the amount. Congress can not hesitate; it can not refuse to pay them after passing a proposition such as has been adopted by the Senate as in Committee of the Whole.

Conditions as to extra cost were exactly the same three months ago as they are to-day. There was no appeal made to the House for a provision of this kind. Nobody asked the House to put it in the river and harbor bill. Those who have suffered on the Ohio River work were suffering at that time just as they are to-day, and nothing was heard of this proposition until the Post Office appropriation bill had a provision of this character inserted in it by the Senate.

The amendment offered is to take care of every contractor who entered into a contract before the war, and hereafter in all the work that is done for the Government the contractor must be paid a sum sufficient to insure that they will lose nothing on the cost of the work.

Mr. SHAFROTH. I am not familiar with the amendment. Is it proposed to indemnify contractors for work that they have entered into contract with the Government to perform?

Mr. SMOOT. Yes. As soon as the bill becomes a law all work done on rivers and harbors, no matter what the price of the contract might be, the Government of the United States is to indemnify all contractors whatever amount it cost extra over and above what it would have cost at the time the contract was entered into.

Mr. SHAFROTH. It applies to past contracts?

Mr. SMOOT. It applies to contracts entered into before April 6, 1917.

Mr. FLETCHER. But, if the Senator will permit me, the readjustment only applies to future contracts.

Mr. SMOOT. That is exactly what I said to the Senator from Colorado.

Mr. FLETCHER. But the Senator from Colorado does not understand it in that way. His question was whether or not it applied to all contracts.

Mr. SMOOT. I said it applied to all contracts entered into before the 6th of April, 1917, and for all work done under those contracts immediately after the signing of this bill, or as soon as the bill becomes a law.

Senators, that is the proposition. As I said on Saturday, this plan will not apply to river and harbor contracts, but it means every contract that the Government of the United States has entered into for any purpose and for goods and supplies of every character and description. Do not be deceived because but \$2,000,000 is named in this provision. The Government will not

be relieved by the payment of \$2,000,000 or ten times \$2,000,000 if this amendment is adopted. I want to say that, if it is adopted, the same principle ought to be extended to all contractors of every name and nature.

Reference has been made to the fact that, if we do not give this relief, contracts will be thrown up, and the Government of the United States will have to ask for new contracts, in which case the cost will be more than we would pay under this provision. Why, Mr. President, if we have to ask for new contracts, we shall have competition, and we shall have a chance to partially save ourselves, but under this provision there is no such opportunity.

Mr. President, I know of no Senator who has criticized the river and harbor bill as such; but there are Senators, and among them myself, who are opposed to many items which have been carried in river and harbor bills in the past. The Senator from Louisiana [Mr. RANSDELL] has asked Senators several times to name the rivers to which we object. Why, the list is too long to undertake such a task. I named some of them when I last spoke at length upon the river and harbor bill in 1916. Mr. Burton at the same time also named a long list of them, and I find in the RECORD a statement which was then made by myself.

Let us take the Arkansas River and see what is the result of river and harbor improvement on that river and then judge whether any sane person would invest his money in such a project if he had to pay the expense of maintaining it and receive all profits from carrying the commerce.

The total appropriations for that river which were made up to 1916 were \$3,533,033.40.

Mr. RANSDELL. May I ask the Senator a question?

Mr. SMOOT. The amount of commerce on that river for the year 1916—

Mr. RANSDELL. Mr. President—

Mr. SMOOT. If the Senator will wait until I finish the sentence, then I will yield to him.

The amount of commerce on that river in that year was 79,169 tons, as reported by the Chief of Engineers. The valuation of all the products transported, including everything making up the 79,169 tons, was only \$812,657. We were asked to appropriate for that year \$334,700, the total value of the products transported on which in dollars and cents was \$812,657. I call attention—

Mr. RANSDELL. Mr. President, will the Senator from Utah yield to me? He is talking about a river in my State.

Mr. SMOOT. Certainly, I will yield.

Mr. RANSDELL. I am very much obliged to the Senator.

Mr. SMOOT. I never spoke on a river and harbor bill or offered a word of criticism but what the Senator from Louisiana was immediately upon his feet to defend the project—no matter how ridiculous it was.

Mr. RANSDELL. Certainly, whenever slanders are uttered against things in Louisiana or anywhere else in connection with rivers and harbors, I am going to be on my feet. I consider it a slanderous statement for a Senator to rise in his place here and try to make the Senate believe that three million and some odd thousand dollars were spent on a river, the commerce of which is the ridiculously small sum which the Senator states. Why do you not be fair, Mr. Senator, and if you give the total expenditures on that river, also give the total commerce on it from the time we began to make the expenditure? The Senator read the items of expenditure on Red River from the beginning of the Government—that is what he did—and then he gave the commerce for the last year. I ask the Senator now if there is anything fair in that kind of a statement?

Mr. SMOOT. If the Senator has asked his question and will sit down, I will answer it.

Mr. RANSDELL. All right. Now, let us hear the answer.

Mr. SMOOT. The Senator is very impatient and very sensitive upon any question concerning river and harbor bills; and he can not, therefore, have patience with anyone who sees such bills in any other light than that in which he sees them.

Mr. President, I called attention to the amount of money which was spent upon that river up to the day which I have named; and I ask the Senator if it is incorrect?

Mr. RANSDELL. No.

Mr. SMOOT. Well, then, enough for that.

Mr. RANSDELL. I believe the statement is correct, but I desire to say to Senators that there was a very large commerce on that river. I was born and reared on its banks, and know that when I was a boy we were scarcely ever out of sight of the smoke of a steamboat. I know that a great commerce was carried on that river for 500 miles, into all northwest Louisiana and up into the State of Texas. We had no railroads in those days, and a colossal commerce was carried then on the river; but in

recent years, when we have had railroads on both its banks, the commerce of the river has been completely driven off. The large appropriation which the Senator from Utah has read is from the beginning of the Government to the present time. A very large portion of it was for removing a great raft above the city of Shreveport and another large sum was to remove obstructions in the river above the city of Alexandria, where I was reared. If we had the figures here to show the total commerce on Red River since we began to improve it, they would compare very favorably with the total expenditure of over \$3,000,000, and would show this sum was wisely expended. What I object to in the Senator's statement is that he gives the figures of expenditures for all time, and gives the commerce for but one year. I ask him, Is that fair?

Mr. SMOOT. Mr. President, it is all right for the Senator to hark back to his childish recollection when there was some commerce on the river, but this very argument is against the appropriation for such rivers as is the Arkansas to-day. If there was a time when there was commerce upon that river to justify the Government appropriations, it was years in the past; for I know that during the year 1916 there were only 79,169 tons of commerce carried on the river.

Mr. RANSDELL. How much did the Government spend on the river that year—\$3,000,000?

Mr. SMOOT. I stated to the Senate how much it spent.

Mr. RANSDELL. Would the Senator mind stating it again?

Mr. SMOOT. Certainly; I will not mind stating it again. The amount spent that year was \$334,700. But, I say to you, Mr. President, that in the figures I have presented for that time I only estimated 4 per cent on the money that was invested; and who would desire to invest money if he did not get 4 per cent interest on it? On that basis I want to call attention now to the cost to the Government of the United States for hauling commerce on some of these so-called arteries of commerce.

Mr. FLETCHER. Mr. President, if the Senator will allow me, I desire to call attention to the provision in the present bill on page 9. The bill now provides:

Red and Sulphur Rivers, Ark. and Tex., and Cypress Bayou and Waterway between Jefferson, Tex., and Shreveport, La.: For maintenance, \$5,000.

Mr. SMOOT. Mr. President, the estimates of the cost to the Government for furnishing waterways to float actual commerce on a few projects in the bill in 1916 were as follows—and this I want it distinctly understood does not include logs as commerce. I have a list of the creeks, the rivers, and the bays that have had money spent upon them by the Government of the United States to float logs down them.

Mr. NELSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. SMOOT. Yes.

Mr. NELSON. If the Senator will allow me, I may say I sympathize with a Senator who has in his State neither creeks nor streams of any kind, nor any logs to float in them. It is quite natural such a Senator should feel as does the Senator from Utah.

Mr. SMOOT. The Senator from Utah will vote as large appropriations for the harbors of the United States as will the Senator from Minnesota; the Senator from Utah will take care of the industries of this country, no matter where they may be located, as well as will the Senator from Minnesota; and I think my record will bear me out in that statement.

Mr. FLETCHER. Mr. President—

Mr. SMOOT. If the Senator will wait a moment—

Mr. FLETCHER. I merely wish to state that, while the Senator from Utah seems to be very economical about rivers and harbors, he is a strong advocate of an increase of \$40,000,000 for permanent pensions.

Mr. SMOOT. Why, certainly, Mr. President. I am an advocate of doing justice to the men who saved the Nation and offered their lives for the preservation of this country; and had it not been for the heroic sacrifices of those men the Senator from Florida would not be in this Chamber to-day. If the Senator from Utah is charged with being interested in the Government partially recognizing the labors of such men or the just claims of their widows or their dependent children, he is perfectly willing to stand whatever there may be in the way of criticism or of chastisement for such position, no matter if it does come from friend or foe.

I might proceed further along this line, Mr. President; but I see the Senator from Florida has left the Chamber, and so I will say nothing more in this connection at this time. I wish, however, to assure the Senators present that there is a great deal more that might be said upon this question. If the Senator from Florida wants to be economical and wants to reduce

unnecessary expenditures of the Government, let him cut out of this bill a lot of rotten projects, and if he will follow me I will point out to him not how \$40,000,000 may be saved but how a billion dollars may be saved without interfering with the proper maintenance of the Government. Do not let us harp upon the \$40,000,000 that is to be paid to the old soldiers in their dying days, to the men who saved this Nation and all that it stands for, but let us look for extravagances and wicked waste that is manifest on all sides.

Now, Mr. President, let me call attention to some of the rivers and creeks for which appropriations have been made, and to the result in connection with such appropriations, based on 4 per cent interest on the amounts the Government has expended and the amount of commerce carried upon the rivers each year.

The Ohio River, a little over \$5 a ton, excluding soft coal; on the upper Mississippi, \$12 a ton; on the lower Mississippi, \$35 a ton; on the Arkansas River, nearly \$20 a ton; on the Hennepin, \$36.75 a ton; on the Missouri, a little over \$40 a ton; Muscle Shoals, \$41 a ton; Arkansas Pass Canal, \$80 a ton; the Brazos, \$80 a ton; the Red River, \$100 a ton; the proposed Muscle Shoals project, \$100 a ton; and the Big Sandy, Ky., \$350 a ton.

Mr. RANSDELL. Mr. President, will the Senator yield?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. RANSDELL. Would the Senator mind telling the Senate how he arrived at those figures?

Mr. SMOOT. I thought I did tell the Senate, but I will tell the Senate again. Those figures are arrived at by taking all the appropriations that have been made and spent—

Mr. RANSDELL. The Senator means from the beginning of the Government?

Mr. SMOOT. From the beginning, and including 4 per cent upon the amount—and the Government is certainly entitled to that much—

Mr. RANSDELL. And giving the rivers credit for the commerce of the current year?

Mr. SMOOT. Then I figure what the interest is and compute the cost of the commerce upon that basis for any given year.

Mr. RANSDELL. Does the Senator think it quite fair to take the total expenditures on a river from the beginning of the Government, say on the Red River, amounting to something over \$3,000,000, calculate 4 per cent on that, and charge the commerce of the current year with the total amount expended on that river from the beginning of the Government, without giving any credit to the enormous commerce carried on that river years ago? If he is going to charge it with the whole expense of improvement, does he not think, in common justice, he ought to credit it with the commerce which has been carried in all these years?

Mr. SMOOT. Mr. President, I think that the Government of the United States ought to be treated exactly the same as any man or any set of men in business. Upon every dollar that a man invests in his business, whether in 1 year or in 10 years, or any number of years, he is entitled to interest. So is the Government; and I treated the Government in these estimates precisely the same as I would treat any business man, and in no other way. Why, Mr. President, in the case of a private business, if a man had invested a million dollars and that million dollars had been used for 10 years and the investment still paid dividends, he would anticipate at least dividends in the future; and if he added half a million dollars more, he would anticipate at least a dividend upon that additional amount. That is exactly what the Government ought to expect when it invests money in rivers and harbors.

Mr. RANSDELL. Mr. President, if the dividends in a private enterprise, say a railroad, have amounted to 10 per cent, 15 per cent, 25 per cent, 30 per cent, or perhaps 50 per cent per annum for many years, and have been placed to the credit of the stockholders, the original investment having been \$3,000,000, as in the case of the Red River, and if there has been earned all told perhaps ten or fifteen or twenty million dollars in all the years of operation, is it fair to say when the business ceases to be profitable that it should be charged up with all the costs and given no credit for the dividends?

Mr. SMOOT. There has been no dividend paid or credit to the Government in any case referred to.

Mr. RANSDELL. But to the individuals who compose the Government there has been.

Mr. SMOOT. Mr. President, I can not follow the Senator's reasoning, and I know that if he were in business and tried to follow such reasoning himself he would become bankrupt in a very few years. If the railroads make 20 per cent or 40 per cent or 50 per cent, as suggested, and if they pay it to the stock-

holders in the way of dividends, it does not go to the company but to the stockholders; and if paid as a stock dividend, it also goes to the stockholders, and they will expect interest on the stock dividend the same as their original investment.

Mr. RANSDELL. But does the Senator differentiate between the stockholders of a railroad and the citizens of this great Republic? Are we not the stockholders of the Nation?

Mr. SMOOT. Oh, yes—

Mr. RANSDELL. And if the people of Louisiana, of Texas, of Oklahoma, and of all that region served by the Red River were getting great dividends for the National Government through the expenditures made on the Red River, is not that just the same as if there were being paid dividends to the stockholders of a railroad?

Mr. SMOOT. Well, Mr. President, I am a citizen of the United States; I have got to help pay the amounts to the citizens of Louisiana, and when it comes to my having a word to say as to how they shall be paid, I would rather pay for the goods carried on some of these creeks and give to the people without cost to them, if that is the cheaper way, and in some cases it is cheaper, than to make appropriations for certain rivers and creeks.

I am not complaining of a policy that would construct the best possible harbors, and I care not where they are located; whether they are in the South or in the North makes no difference to me; I want the best. I also want the rivers on which there is commerce to be maintained, but I do not want efforts to be made to have artificial creeks, with no water in them during portions of the year, converted into a waterway system. Mr. President, I say now that the American people will never stand for it. It is a waste of their money. It may be an advantage locally to Representatives or Senators who can get the appropriations, but I believe I can go into any State in the Union and call the attention of the people to the effect of such appropriations, and they will not approve of them.

It is said that 90 per cent of these projects have been approved by the engineers. I have not looked that question up, and I will take it for granted that it is true. I saw, however, in the year 1916 an adverse report from an engineer upon a project; I spoke against it from this very desk; and yet it was not 24 hours until we had a report favorable to the project, a supplementary report, when I knew that within the time elapsing no additional examination could be made; that conditions had not changed; and I knew that there had been a request for such a report made, and that request was granted and a supplementary report made to the Senate.

Mr. RANSDELL. Mr. President, that is a right serious charge against the Engineer Corps. Would the Senator mind stating what the report was and what project was included in the report?

Mr. SMOOT. The Senator can easily find it out if he will but examine the record.

Mr. RANSDELL. Of course, if the Senator objects to telling me, I do not care.

Mr. SMOOT. Then the Senator need not ask.

Mr. RANSDELL. Very well; I thought the Senator was a fair man.

Mr. GALLINGER. Mr. President, if the Senator from Utah will allow me, he will recall the fact that in that famous bill there were quite a number of these wonderful projects that had been reported adversely upon by the local engineer, by the division engineer, and by the Chief of the Corps of Engineers, and yet they went into the bill and were defended here, and I think some of them probably got appropriations, although I am not sure as to that.

Mr. RANSDELL. Would the Senator mind giving us the names of those projects?

Mr. GALLINGER. The Senator knows that to be the fact.

Mr. RANSDELL. I do not know it to be the fact; I know the exact reverse.

Mr. GALLINGER. The Senator then is not well informed on the subject.

Mr. RANSDELL. Perhaps I am not, but I have been trying to study this matter closely, and if the Senator knows it to be a fact he ought not to conceal the fact from the Senate. The Senator is a fair man generally.

Mr. GALLINGER. I am not talking about the pending bill, but if the Senator will go back to the debate on the bill to which I refer he will find it all pointed out.

Mr. RANSDELL. The Senator from New Hampshire is a fair man; he never makes a misstatement; I have never heard him make one, and I appeal to him in all fairness and all kindness to tell us the facts. Why, Mr. President, the ordinary murderer is entitled to have a copy of the indictment served on him setting forth the time, the place, and the circumstances of the crime. I ask the Senator to tell us.

Mr. GALLINGER. The Senator, Mr. President, is a bit excited.

Mr. RANDELL. I am not excited, but I ask the Senator to give us the facts.

Mr. GALLINGER. The Senator from Louisiana called the Senator from Utah a slanderer, which was contrary to the rules of the Senate, and the Senator from Utah very properly did not pay any attention to that. Now, the Senator must not get excited at what I say.

Mr. RANDELL. I am not a bit excited.

Mr. GALLINGER. The fact is, and the RECORD will bear it out, that there were some projects proposed after they had been turned down by the local engineers.

Mr. RANDELL. The Senator said a moment ago "a number of them."

Mr. GALLINGER. A number of them; yes.

Mr. RANDELL. Would the Senator mind naming some?

Mr. GALLINGER. It is not fair—

Mr. RANDELL. It seems fair to me; we are charged with responsibility for this bill. The Senator says we reported favorably on projects that had not been favorably reported upon by the engineers.

Mr. GALLINGER. I simply say, on my word of honor, that there were several such projects in that bill. Now, the Senator can go look them up for himself.

Mr. RANDELL. I ask the Senator to name them.

Mr. GALLINGER. They were pointed out in the debate; I do not carry them in my mind; but that is the fact.

Mr. SMOOT. I will mention the Missouri, if the Senator wants to know one. I thought the Senator really knew them; I thought he was merely camouflaging when he asked the question.

Mr. RANDELL. I recall one or two, but there were not a number. I recall one myself, but there were not a number of them.

Mr. SMOOT. I only referred to one, but the Senator arose and challenged that. Now, if the Senator wants to know I will tell him a number of them.

Mr. RANDELL. The Senator refused to tell me awhile ago.

Mr. SMOOT. I thought the Senator was camouflaging and trying to make people believe that there were no such projects provided for.

Mr. RANDELL. I never camouflage; I do not follow my distinguished friend from Utah in that respect. All I ask is a detailed statement, which the Senator from New Hampshire and the Senator from Utah have refused to give.

Mr. SMOOT. Very well; let us get at the facts.

The VICE PRESIDENT. The Chair thinks it is about time to enforce the rule of two speeches in a day. We will never get through. The Chair has been here five years and nobody has ever been converted since he has been here.

Mr. SMOOT. I thank the Chair for the position that he has taken.

There were a number of other statements made that I intended to answer to-day, but I think it is unnecessary for me to do so. All I want is if Senators consider this amendment a wise one, and if there is a Senator in this Chamber who can see the end of it, let him vote for it; but I know that no one appeared before the committee of the house of Representatives and asked for this, but came before the Senate committee. The amendment was offered without being printed; it was adopted with a very few Senators in the Chamber without a record vote, and if anyone wants to see it now he must get the desk copy of the bill. I repeat that I sincerely hope this amendment will be rejected.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. RANDELL. I ask for a roll call.

Mr. SMOOT. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when Mr. KENYON's name was called). I desire to announce the absence of the junior Senator from Iowa [Mr. KENYON]. If present, he would vote "nay" on this amendment.

Mr. ROBINSON (when Mr. KIRBY's name was called). The junior Senator from Arkansas [Mr. KIRBY] is absent from the Senate on important public business.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Arkansas [Mr. KIRBY] and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my general pair with the senior Senator from Rhode Island

[Mr. COLT] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. SMITH of Michigan (when his name was called). I have a pair with the senior Senator from Missouri [Mr. REED]. In his absence I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. THOMAS (when his name was called). May I inquire if the senior Senator from North Dakota [Mr. McCUMBER] has voted?

The VICE PRESIDENT. He has not.

Mr. THOMAS. I have a general pair with that Senator, which I transfer to the junior Senator from Utah [Mr. KING] and vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. He being absent, I withhold my vote.

Mr. WOLCOTT (when his name was called). I transfer my general pair with the Senator from Indiana [Mr. WATSON] to the Senator from Oklahoma [Mr. OWEN] and vote "yea."

The roll call was concluded.

Mr. THOMPSON. I ask whether the Senator from Illinois [Mr. SHERMAN] has voted?

The VICE PRESIDENT. He has not.

Mr. THOMPSON. I have a pair with that Senator. I transfer that pair to the Senator from Idaho [Mr. NUGENT] and vote "yea."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. CHAMBERLAIN. I transfer my general pair with the junior Senator from Pennsylvania [Mr. KNOX] to the junior Senator from Montana [Mr. WALSH] and vote "yea."

Mr. HARDING. I have a general pair with the junior Senator from Alabama [Mr. UNDERWOOD]. I am informed that if present he would vote as I shall vote. Therefore I am at liberty to vote. I vote "yea."

Mr. DILLINGHAM. Because of my general pair with the senior Senator from Maryland [Mr. SMITH] I withhold my vote.

Mr. WEEKS. I understand that my pair, the Senator from Kentucky [Mr. JAMES], would vote as I shall vote on this subject. Therefore I vote "yea."

Mr. JOHNSON of South Dakota. I have a pair with the Senator from Maine [Mr. FERNALD]. Not knowing how he would vote on this matter, I withhold my vote.

Mr. BECKHAM. I desire to announce that my colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILMAN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Washington [Mr. JONES] with the Senator from Virginia [Mr. SWANSON].

The result was announced—yeas 38, nays 12, as follows:

YEAS—38.

Bankhead	Jones, N. Mex.	Pittman	Sterling
Beckham	Kellogg	Pomerene	Sutherland
Chamberlain	Lenroot	Ransdell	Thompson
Fletcher	McKellar	Robinson	Trammell
Gulon	McNary	Saulsbury	Vardaman
Harding	Martin	Sheppard	Weeks
Hardwick	Myers	Shields	Wiley
Henderson	Nelson	Simmons	Wolcott
Hitchcock	New	Smith, Ga.	
Hollis	Overman	Smith, S. C.	

NAY—12.

Borah	Curtis	Lodge	Smith, Mich.
Brandegee	France	Page	Smoot
Cummins	Gallinger	Shafer	Thomas

NOT VOTING—46.

Ashurst	Gronna	Lewis	Smith, Md.
Baird	Hale	McCumber	Swanson
Calder	James	McLean	Tillman
Colt	Johnson, Cal.	Norris	Townsend
Culbertson	Johnson, S. Dak.	Nugent	Underwood
Dillingham	Jones, Wash.	Owen	Wadsworth
Fall	Kendrick	Penrose	Walsh
Fernald	Kenyon	Phelan	Warren
Frelinghuysen	King	Polindexter	Watson
Gerry	Kirby	Reed	Williams
Goff	Knox	Sherman	
Gore	La Follette	Smith, Ariz.	

So the amendment made as in Committee of the Whole was concurred in.

Mr. LENROOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add to the bill a new section, to be numbered section 10, and to read as follows:

SEC. 10. That no new work of improvement appropriated for in this act, involving an expenditure during the fiscal year ending June 30, 1919, of \$100,000 or more, shall be undertaken until the Secretary of the Treasury shall first certify to the Secretary of War that the condition of the Treasury is such that such expenditure can be made without injury to the war needs of the Government: *Provided*, That the provisions of this section shall not apply to any expenditure heretofore specifically recommended by the Secretary of War as a war emergency.

Mr. FLETCHER. Mr. President, I make the point of order that the amendment was offered in Committee of the Whole and voted down.

The VICE PRESIDENT. The point of order is overruled. The Chair has ruled that amendments rejected in Committee of the Whole may be reoffered in the Senate.

Mr. LENROOT. Mr. President, I will say to the Senator from Florida that this amendment is not exactly the same as the other. There is one substantial difference between the amendment I have now proposed and the amendment that was rejected in the Committee of the Whole. The amendment before the Committee of the Whole prohibited the expenditure of any amount exceeding \$100,000 under the circumstances stated except with the certificate of the Secretary of the Treasury. The amendment now pending would include all work costing \$100,000 as well as work exceeding that amount. In other respects the amendments are the same.

Mr. President, I have reoffered the amendment in the Senate because of the close vote that was had in the Committee of the Whole, and because it does not seem to me that many of the Senators who voted against this amendment in the Committee of the Whole could have been advised as to what the amendment proposed to do, because their action is entirely inconsistent with other legislation passed recently by Congress practically unanimously.

Let me restate what the amendment does. It merely provides as to all new work authorized by this bill costing more than \$100,000, except such work as has been certified by the Secretary of War to be war-emergency work, that before that new work can be undertaken the Secretary of the Treasury shall certify that the condition of the Treasury is such that the proposed expenditure can be made without injury to the war needs of the Government. In effect, it merely means that if at any time the condition of the Treasury is such that we need the money in it to actually carry on the war, the prosecution of the new work provided for in this bill shall be suspended until such time as there is money in the Treasury to do it.

A very striking illustration of the present situation came to me this morning. The Senator from Utah the other day called attention to the legislation recently passed creating the War Finance Corporation and the Capital Issues Committee, whereby private undertakings can not float bonds or indebtedness in excess of \$100,000 without securing the prior approval of the Capital Issues Committee. A city in my State voted \$100,000 in bonds to build a schoolhouse, because they were absolutely unable to care for and properly house children in the existing schools of that city. They made arrangements with a bank to take the whole issue of \$100,000. That bank is ready to take the issue to-day if it can get the prior approval of the issues committee. The matter was submitted to that committee and the committee rejected the application, and the city has a representative here in Washington to-day undertaking to get a rehearing of the matter before this committee.

In other words, because of the war condition that we are in we are not going to permit cities throughout the United States to build schoolhouses for their children, we are not going to permit them to improve their streets, we are not going to permit them to do many necessary things, because we will need the money in subscriptions to liberty bonds and in other ways to carry on this war. Yet we have the amazing condition, Mr. President, that it is proposed in this bill to appropriate at least \$8,000,000, and no doubt more—but my amendment would lie to at least that much—to go on with these improvements that have nothing to do with the war, that can not benefit commerce for years and years to come, and in some cases in all probability will never benefit commerce at all; and the Senate votes down an amendment that refuses to apply to the Government itself the same terms and conditions that it does apply to every private citizen in the land.

That is all I have to say about the matter, Mr. President. Either this amendment should be adopted or else Congress ought to repeal the legislation creating the Capital Issues Committee.

Mr. FLETCHER. Mr. President, I think it would be very unwise and, in fact, inexcusable for us to postpone the work

provided for in this bill until the Secretary of the Treasury certifies that it may be done. The proposition is an absurd one.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Wisconsin [Mr. LENROOT].

Mr. SMOOT and Mr. FLETCHER called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.
Mr. DILLINGHAM (when his name was called). Again announcing my pair with the Senator from Maryland [Mr. SMITH], I withhold my vote.

Mr. HARDING (when his name was called). I transfer my general pair with the junior Senator from Alabama [Mr. UNDERWOOD] to the junior Senator from Iowa [Mr. KENYON] and vote "yea."

Mr. MYERS (when his name was called). I make the same announcement that I made on the last roll call as to my pair and its transfer and vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I therefore withhold my vote.

Mr. SMITH of Michigan (when his name was called). Making the same announcement as on the previous roll call and the same transfer, I vote "yea."

Mr. THOMAS (when his name was called). Making the same announcement as to my pair and its transfer, I vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GORE] to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. He being absent, I withhold my vote.

Mr. WOLCOTT (when his name was called). Making the same announcement as on the last roll call as to my pair and its transfer, I vote "nay."

The roll call was concluded.
Mr. JOHNSON of South Dakota. I transfer my pair with the Senator from Maine [Mr. FERNALD] to the Senator from Arkansas [Mr. KIRBY] and vote "nay."

Mr. CHAMBERLAIN. Transferring my general pair with the junior Senator from Pennsylvania [Mr. KNOX] to the junior Senator from New Hampshire [Mr. HOLLIS], I vote "nay."

Mr. CURTIS. I desire to announce the absence of the junior Senator from Iowa [Mr. KENYON], and to state that were he present he would vote "yea."

Mr. THOMPSON (after having voted in the negative). I have a general pair with the Senator from Illinois [Mr. SHERMAN]. I observe that he has not voted. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. ROBINSON. I wish to announce that my colleague [Mr. KIRBY] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Washington [Mr. JONES] with the Senator from Virginia [Mr. SWANSON];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY].

The result was announced—yeas 23, nays 30, as follows:

YEAS—23.			
Borah	Hale	Nugent	Sterling
Brandagee	Harding	Page	Sutherland
Cummins	Kendrick	Pomerene	Thomas
Curtis	Lenroot	Shafroth	Townsend
France	Lodge	Smith, Mich.	Walsh
Gallinger	New	Smoot	
NAYS—30.			
Bankhead	Jones, N. Mex.	Phelan	Thompson
Beckham	Kellogg	Poinexter	Tillman
Chamberlain	Lewis	Ransdell	Trammell
Fletcher	McKellar	Robinson	Vardaman
Guion	McNary	Sheppard	Wilfley
Hardwick	Martin	Shields	Wolcott
Henderson	Myers	Simmons	
Johnson, S. Dak.	Nelson	Smith, S. C.	
NOT VOTING—43.			
Ashurst	Gore	La Follette	Smith, Ariz.
Baird	Gronna	McCumber	Smith, Ga.
Calder	Hitchcock	McLean	Smith, Md.
Colt	Hollis	Norris	Swanson
Culbertson	James	Overman	Underwood
Dillingham	Johnson, Cal.	Owen	Wadsworth
Fall	Jones, Wash.	Penrose	Warren
Fernald	Kenyon	Pittman	Watson
Frelinghuysen	King	Reed	Weeks
Gerry	Kirby	Saulsbury	Williams
Goff	Knox	Sherman	

So Mr. LENROOT's amendment was rejected.

Mr. GALLINGER. Mr. President, I shall occupy but a moment more in the discussion of this bill.

I have not allowed myself to get at all excited over the matter, because I propose to vote for the bill. I shall vote for it for the reason that it carries appropriations for harbors that are essential to the commerce and the prosperity of the country, and for some of the great rivers of the country. Whatever criticisms I have offered, either to-day or on a former occasion, were directed against the small and inconsequential streams that in the very nature of things never can become arteries of commerce in the proper sense of the word.

I have been comparing the bill of 1916 with the present one, and I find that a great many of my old friends have disappeared from this form of legislation. The work that was done by the Senate on that occasion in reducing the appropriation almost one-half, if not one-half, has borne fruit, and it will continue to bear fruit in the years to come.

I may not have examined the bill with the care that I ought to have done, but I even fail to find in the bill my old friend from Texas, the Trinity River. It may be packed away somewhere in these omnibus paragraphs that are in the bill, but I have failed to find it, and I feel bad to think that the Trinity River has gotten lost in the shuffle. That river has had only about four millions, I think, expended upon it up to date.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Idaho?

Mr. GALLINGER. I yield.

Mr. BORAH. I understand that the Trinity River has been turned into an automobile road. [Laughter.]

Mr. GALLINGER. I believe I almost suggested once on the floor myself that that would be the best use to make of it. But we have spent \$4,000,000 or thereabouts on the Trinity River—I am not exact in the statement I make—and now it has disappeared. It never will become a great waterway; it never can become a great waterway; and I hope that the appropriation for that river will not appear in the bill again.

A little while ago the Senator from Louisiana [Mr. RANSDELL], with a good deal of warmth, challenged my suggestion that in the bill of 1916 there were, as I said, several items that had been adversely reported on by the local engineer, the division engineer, and the Chief of Engineers. After giving the matter a little consideration, the Senator admitted that there was one such item, as he recalled. Now, I spoke in entire sincerity, and I believe advisedly, when I said there were several such items; but I have not had time to verify the statement and it is inconsequential at best. There was certainly one such item, according to the admission of the Senator from Louisiana, and that item ought not to have been in the bill.

Mr. RANSDELL. I will go further, and say I think there were two. I think there was a little item up in Michigan and a little item on the Missouri River. They were the exceptions which prove the rule.

Mr. GALLINGER. I am glad the Senator has mentioned those two because I said there was a number, and I believe two is a number. So I think I was not inaccurate.

Mr. President, it would be idle to waste time in the further discussion of the bill. I think a good purpose was served in 1916 in the discussion we then had. I think a good purpose has been served to-day in discussing the bill. I regret that the amendment submitted by the Senator from Wisconsin [Mr. LENROOT] was not agreed to. I equally regret that the amendment proposing to reimburse these contractors under the conditions of the amendment was not either rejected or modified. But that is past. The bill is going to pass, as these bills always pass. They are written to be passed, and the man who undertakes to defeat them is simply beating the air and wasting time which might be better employed. I suggested that a good many of my old friends had disappeared from the bill but in looking it over I am gratified to find that Alligator Creek and Black Fish Bay are still retained. If we can only take care of the alligators and the black fish in this bill we will be doing something toward winning the war, because it will provide some food for our people and for our allies.

Mr. President, that is all I care to say. I shall vote for the bill, as I suggested a moment ago, for the reason that the good in it outweighs the bad in it. The appropriations which are designed to improve our harbors and the great waterways of commerce in this country are of more consequence to me, as a man who wants to legislate for the best interests of the entire people, than the inconsequential and unnecessary appropriations that I find in the bill.

Mr. STERLING. Mr. President, I present the following amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 18, line 14, at the end of section 3, add:

That, subject to the approval of the Secretary of War, such examinations and surveys shall include an examination and survey of the Missouri River within and on the boundaries of the State of South Dakota for the purpose of determining the location of practicable water-power sites and the relation of such sites, when developed, to the navigation of the river.

Mr. STERLING. Mr. President, I hope I do not tax the patience of the chairman of the committee having the bill in charge or seem unduly persistent in presenting this proposal in regard to the survey of the Missouri River. In view of the petition that I presented the other day, and which has been twice read here in the Senate, signed by thousands of citizens of South Dakota, and in view, too, of the abiding faith that I myself have in the development of the Missouri River and the great benefit the improvement of that river will be, I can do nothing less than present this amendment here in the Senate.

I wish to say that I present it in a modified form, and now, fair as it was before, it ought to be acceptable. It seems to me, to the chairman of the committee, for, as modified, the amendment provides that the survey shall be subject to the approval of the Secretary of War.

As I stated in discussing the amendment when in Committee of the Whole, not a single dollar of appropriation is asked. It comes after the item in the bill appropriating \$200,000 for surveys and examinations.

I want to say this: That in the petition these petitioners recognize the fact that we are in a state of war. They recognize the fact that no appropriation for an improvement is contemplated by the people of South Dakota until after the war is over. I may say, Mr. President, that when the people of South Dakota come to ask an appropriation by Congress of any improvement of the Missouri River the request for that appropriation will be accompanied by an offer which will be a generous contribution on the part of the people of the State to the improvement for which they ask an appropriation at the hands of Congress.

In qualifying the amendment so as to make it subject to the approval of the Secretary of War I simply make it in harmony with the act of 1917, which contained a provision that no surveys therein provided should be made until after the close of the war with Germany, except such as the Secretary of War shall direct. The amendment as now modified and presented here in the Senate is in conformity with that provision of the act of 1917.

I trust, Mr. President, that the amendment will prevail. I hoped the chairman of the committee would see fit to accept it. It is a very little thing we are asking, and I see no reason in all fairness and justice why the amendment should not prevail.

Mr. FLETCHER. Mr. President, I regret that I can not find myself in full accord with the Senator who has just offered this amendment, but I am obliged to ask that it keep company with all the others that have been left out of the bill providing for surveys, however meritorious. In ordinary conditions I might have been willing to agree to the proposal, but under the circumstances I think I am quite justified, and besides the feature in connection with it as a water-power development lessens its value in a river and harbor bill.

Mr. STERLING. If the Senator will permit me to interrupt him—

Mr. FLETCHER. I am inclined to think that our friends out there who want to develop the water power of the river ought to go to some little expense in making their own surveys. However, that is aside from the main question, and that is that we have not provided for any surveys in the bill.

Mr. STERLING. I think I can safely say, Mr. President, that no other proposition for a survey presented here by way of an amendment to this bill contained a provision that it shall be subject to the approval of the Secretary of War, as my amendment now proposes.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. STERLING].

On a division the amendment was rejected.

Mr. CALDER. Mr. President, I want to occupy the time of the Senate for just a moment to call attention to the fact that this bill contains a provision which requires the dredging of a channel to a depth of 40 feet through Hell Gate connecting East River with Long Island Sound. I consider this by far the most important provision in the bill. When this work is completed it will mean that a fleet of battleships and the largest merchant ships that float can come through the Sound and the East River to the city of New York, affording two means by which vessels can come in and out of that great harbor.

The city of New York has for years on its own account, at the expense of the State and the city, spent vast sums of money to

make that great harbor meet the requirements of the country. Last year the business—the foreign business—done in this port, including imports and exports, aggregated a sum in excess of \$4,000,000,000—one-half the foreign trade of the Nation.

New York has just completed a great barge canal which has cost the State on its own account over \$130,000,000. There has been some complaint of late that New York Harbor was not quite equal to the demands placed upon it in these war times. Mr. President, New York has provided a great port and a great series of piers for the accommodation of the Nation's shipping. It has taken care of 60 per cent of the business of the country in peace times. But Congress has not done its full duty by New York in the past. Despite this neglect, with a commerce double in value of what it was three years ago, one great port is taking care of the demands made upon it. We want a proper organization of our terminal equipment, and when this is arranged there can be no doubt of our ability to handle even a much greater business than we do to-day.

I simply call these facts now to the attention of those in charge of preparing river and harbor bills in the future, that they may see to it that a survey is made of the great harbors of the Nation, to the end that the congestion at those harbors may not occur again when the country so much needs these facilities.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. FLETCHER. I ask leave to insert in the RECORD certain communications from the War Department bearing on matters mentioned in the bill.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection, that order will be made.

The matter referred to is as follows:

WAR DEPARTMENT,
Washington, April 22, 1918.

HON. DUNCAN U. FLETCHER,
Chairman Committee on Commerce, United States Senate.

MY DEAR SENATOR: In response to your letter of April 19, 1918, calling my attention to the provision made in the pending river and harbor bill for the improvement of Key West Harbor in accordance with the report published in House Document No. 185, Sixty-fifth Congress, first session, and to the great importance attached to this improvement by the Navy Department, I have the honor to inform you that I have just received a confidential letter from the Acting Secretary of the Navy setting forth that department's interest in the locality and expressing the conclusion that this work is considered by the Navy Department as an essential war measure. I therefore recommend its retention in the bill as coming within the rule observed by the War Department which limits favorable consideration of new projects for adoption at this time to those that are deemed essential in connection with the prosecution of the war.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT,
Washington, May 1, 1918.

HON. DUNCAN U. FLETCHER,
Chairman Committee on Commerce, United States Senate.

DEAR SIR: I have the honor to invite your attention to the report on preliminary examination and survey of the west basin of Los Angeles Harbor, Cal., which has just been submitted to Congress, and is to be published as House Document No. 1072, Sixty-fifth Congress, second session, in which improvement of the west basin is recommended to provide a necessary channel of approach to a large floating dry dock which is to be built in connection with the operations of the Emergency Fleet Corporation. The Board of Engineers for Rivers and Harbors and the Chief of Engineers report that this work is considered essential as a war measure. I concur in their views, and therefore recommend that provision for this work be made, if practicable, in the pending river and harbor bill.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, May 17, 1918.

HON. DUNCAN U. FLETCHER,
United States Senate.

MY DEAR SENATOR: 1. In response to your letter of May 15, 1918, inclosing a letter from Senator HARDWICK and another from the secretary of the board of trade of Brunswick, Ga., complaining about the delay in expending the funds appropriated for Brunswick Harbor, I have the honor to state that this office has no record of any former complaint about the use of the funds supplied for this harbor, and I am not in a position to state whether the omission of dredging operations up to the present time during the current fiscal year has been justified or not. In the absence of any complaint from local interests on this point, and with the understanding that the district engineer would take such steps as the conditions might warrant, it was assumed that no dredging had been urgently required. Copies of these papers will be sent to the district engineer, however, for report, and it is expected that the work will be prosecuted as the needs of the situation demand. It is suggested that the secretary of the Brunswick Board of Trade communicate direct with the district engineer, Col. John Mills, Corps of Engineers, post-office building, Savannah, Ga., if he has any further suggestions to make as to the work, as the details of administration of the affairs of the district are left largely in the hands of the district engineer.

2. The inclosures to your letter are returned herewith, as requested.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. C. NEWCOMER,
Colonel, Corps of Engineers.

THE CALENDAR.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar under Rule VIII, commencing at Order of Business 314, Senate bill 954, and considering only bills to which there is no objection.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Utah?

Mr. HARDWICK. Why does the Senator suggest that we begin at No. 314?

Mr. SMOOT. That is the point where we left off when we last considered the calendar.

Mr. HARDWICK. I have no objection.

The PRESIDING OFFICER. The Chair hears no objection.

COAL-LAND ENTRIES.

The bill (S. 954) to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments, on page 1, line 9, after the word "Alaska," to strike out "including surplus lands in any Indian reservation heretofore or hereafter opened to settlement and entry," and, on page 3, line 14, after the word "disposal," to strike out the words:

Provided, That the proceeds arising from the disposal of such coal deposits in surplus Indian lands opened to settlement and entry shall be deposited in the Treasury of the United States and shall be applied in the same manner as the proceeds arising from the disposition of the surface lands therein.

So as to make the bill read:

Be it enacted, etc., That the act entitled "An act to provide for agricultural entries on coal lands," approved June 22, 1910, be, and the same is hereby, amended to read as follows:

"SECTION 1. That from and after the passage of this act unreserved public lands of the United States, exclusive of Alaska, which have been withdrawn or classified as coal lands, or are valuable for coal, shall be subject to appropriate entry, selection, or sale under any of the nonmineral public-land laws applicable to the particular lands desired if not containing coal, and to withdrawal under the act approved June 17, 1902, known as the reclamation act, whenever such entry or withdrawal shall be made with a view of obtaining or passing title with a reservation to the United States of the coal in such lands, and of the right to prospect for, mine, and remove the same: *Provided*, That those who have initiated nonmineral claims under the public-land laws in good faith prior to the passage of this act on lands withdrawn or classified as coal lands may perfect the same under the provisions of the laws under which said claims were initiated, but shall receive the limited patent provided for in this act.

"SEC. 2. That any person, State, or corporation desiring to make entry or selection under any nonmineral public-land law of lands withdrawn or classified as coal lands, or which are valuable for coal, shall state in the application for entry or selection that the same is made in accordance with and subject to the provisions and reservations of this act, and the Secretary of the Interior, in withdrawing under the reclamation act lands of this character, shall state in the notice of withdrawal that such withdrawal is made subject to the provisions and reservations of this act.

"SEC. 3. That upon satisfactory proof of full compliance with the provisions of the laws under which the entry or selection is made, and of this act, the entryman or selector shall be entitled to a patent or to a certification, as the law may require, to the land entered or selected, which patent or certificate shall contain a reservation to the United States of all the coal in the lands so patented or certified, together with the right to prospect for, mine, and remove the same. The coal deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal-land laws in force at the time of such disposal. Any person qualified to acquire coal deposits or the right to mine and remove the coal under the laws of the United States shall have the right at all times to enter upon the lands selected, entered, or patented, as provided by this act, for the purpose of prospecting for coal thereon upon the consent of the surface entryman or owner, or upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting. Any person who has acquired from the United States the coal deposits in any such lands, or the right to mine or remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the coal therefrom, and mine and remove the coal, upon payment of the damages caused thereby to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages: *Provided*, That the owner under such limited patent shall have the right to mine coal for use upon the land for domestic purposes at any time prior to the disposal by the United States of the coal deposits: *Provided further*, That nothing herein contained shall be held to deny or abridge the right to present and have prompt consideration of applications to locate, enter, or select, under the land laws of the United States, lands which have been classified as coal lands with a view of disproving such classification and securing a patent without reservation."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SMOOT. I ask that the next two bills on the Calendar, House bill 8496 and House bill 9160, be passed over temporarily until the Senator from Montana [Mr. WALSH] arrives.

The PRESIDING OFFICER. Without objection, that order will be made.

Mr. SMOOT. I am quite sure that some of the beneficiaries named in those two bills have died since the bill was reported to the Senate, and we would like to have those eliminated from the bill as soon as the Senator from Montana gets here.

CLAIMS OF COWLITZ TRIBE OF INDIANS.

The bill (S. 3663) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with amendments, on page 2, line 13, to strike out the words "decree the fees" and insert "fix and determine a reasonable fee not to exceed 10 per cent of the recovery," and, in line 17, to insert "included in the decree and shall be," so as to make the bill read:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, which the Cowlitz Tribe of Indians, residing in the State of Washington, may have against the United States, shall be submitted to the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States for determination; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine any and all such claims and to render final judgment thereon.

The Court of Claims shall advance the causes upon its docket for hearing and shall have authority to determine and adjudge the rights, both legal and equitable, of the said Cowlitz Tribe and of the United States in the premises, notwithstanding lapse of time or statutes of limitation. The suit or suits instituted hereunder shall be begun by the Cowlitz Tribe of Indians as parties plaintiff and the United States as the party defendant. The petition or petitions may be verified by the attorney or attorneys employed by the Cowlitz Tribe upon information and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided*, That upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee not to exceed 10 per cent of the recovery, to be paid to the attorney or attorneys employed by the said Cowlitz Tribe of Indians, and the same shall be included in the decree and shall be paid out of any sum or sums found due said tribe.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FORT HALL INDIAN RESERVATION, IDAHO.

The bill (H. R. 4910) to authorize the establishment of a town site on the Fort Hall Indian Reservation, Idaho, was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to set aside and reserve for town-site purposes a tract of land within the Fort Hall Indian Reservation, Idaho, as in his opinion may be required for the future public interests, and he may cause the same to be surveyed into suitable lots and blocks and to dedicate the streets and alleys thereof to public uses; and he is hereby authorized to set apart and reserve for school, park, and other public purposes not more than 10 acres in such town site; and patents shall issue for the lands so set apart and reserved for school, park, and other public purposes to the municipality legally charged with the care and custody of lands donated for such purposes on condition that Indian children shall be permitted to attend the public schools of such town under the same conditions as white children.

Sec. 2. That the Secretary of the Interior is further authorized to cause the lots within such town site as may be established hereunder to be appraised and disposed of under such rules and regulations as he may prescribe and any and all expenses in connection with the survey, appraisement, and sale of such town site shall be reimbursed from the sales of town lots, and the net proceeds derived therefrom shall be placed in the Treasury of the United States to the credit of the Indians of the Fort Hall Reservation and shall be subject to appropriation by Congress for their benefit: *Provided, however*, That any lands disposed of hereunder shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country until otherwise provided by Congress.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SMOOT. I ask that the next two bills on the Calendar, House bill 9506 and House bill 9612, may go over temporarily.

The PRESIDING OFFICER. Without objection, that order will be made.

PUBLIC LANDS IN RECLAMATION PROJECTS.

The bill (S. 3943) to provide for the disposition of public lands withdrawn and improved under the provisions of the reclamation laws and which are no longer needed in connection with said laws was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That whenever in the opinion of the Secretary of the Interior any public lands which have been withdrawn for or in connection with construction or operation of reclamation projects under the provisions of the act of June 17, 1902, known as the reclamation act, and acts amendatory thereof and supplemental thereto, and which have been improved by and at the expense of the reclamation fund for administration or other like purposes, are no longer needed for the purposes for which they were withdrawn and improved, the Secretary of the Interior may cause said lands, together with the improvements thereon, to be appraised by three disinterested persons to be appointed by him and thereafter sell the same, for not less than the appraised value, at public auction to the highest bidder, after giving public notice of the time and

place of sale by posting upon the land and by publication for not less than 30 days in a newspaper of general circulation in the vicinity of the land.

Sec. 2. That upon payment of the purchase price the Secretary of the Interior is authorized, by appropriate patent, to convey all the right, title, and interest of the United States in and to said lands to the purchaser at said sale, subject, however, to such reservations, limitations, or conditions as said Secretary may deem proper: *Provided*, That not over 160 acres shall be sold to any one person, and if said lands are irrigable under the project in which located they shall be sold subject to compliance by the purchaser with all the terms, conditions, and limitations of the reclamation act applicable to lands of that character.

Sec. 3. That the moneys derived from the sale of such lands shall be covered into the reclamation fund and be placed to the credit of the project for which such lands had been withdrawn.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF INDIANS IN THE STATE OF WASHINGTON.

The bill (S. 3923) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert:

That all claims of whatsoever nature, both legal and equitable, of the tribes and bands of Indians, or any of them, with whom any of the treaties of Medicine Creek, dated December 26, 1854; Point Elliott, dated January 22, 1855; Point-à-Point, dated January 26, 1855; the Quin-ai-elts, dated May 8, 1859, growing out of said treaties, or any of them, including claims for allotments of land, or the value thereof, which they failed to receive under any of said treaties; and that all claims of whatever nature, both legal and equitable, which the Muckleshoot, San Juan Island Indians; Nook-Sack, Chinook, Upper Chehalis, Lower Chehalis, and Humptulip Tribes or Bands of Indians, or any of them (with whom no treaty has been made), may have against the United States shall be submitted to the Court of Claims, with right of appeal by either party to the Supreme Court of the United States for determination and jurisdiction, both legal and equitable, is hereby conferred upon the Court of Claims to hear and determine any and all suits brought hereunder and to render final judgment therein: *Provided*, That the right of appeal to the Supreme Court of the United States shall not extend to those tribes or bands of Indians, or any of them, with whom no treaty has been made: *Provided further*, That the court shall also consider and determine any legal or equitable defenses, set-offs, or counter claims which the United States may have against any of said tribes, bands, or individual Indians.

Sec. 2. The Court of Claims shall advance the cause or causes upon its docket for hearing, and shall have authority to determine and adjudge all rights and claims, both legal and equitable, of said Indians, tribes or bands of Indians, or any of them, and of the United States in the premises, notwithstanding lapse of time or statutes of limitation.

Sec. 3. The suit or suits instituted hereunder shall be begun by such Indians, tribe, tribes, or bands of Indians, as parties plaintiff, and the United States as the party defendant. The petition or petitions may be verified by the attorney or attorneys employed by such tribes or Indians upon information and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided*, That the attorney or attorneys of said tribes or bands of Indians, or any of them, shall be selected by the claimant Indian or Indians with the approval of the Secretary of the Interior and the Commissioner of Indian Affairs, and upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the recovery, to be paid to the attorneys employed by the said tribes or bands of Indians, or any of them, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribes.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COOS BAY, UMPQUA, AND SIUSLAW TRIBES OF INDIANS.

The bill (S. 3572) authorizing the Coos Bay, Umpqua, and Siuslaw Tribes of Indians in the State of Oregon to submit claims to the Court of Claims was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with amendments, on page 2, line 18, to strike out the words "decree the fees" and to insert "fix and determine a reasonable fee not to exceed 10 per cent of the recovery" and, in line 22, to insert "included in the decree and shall be," so as to make the bill read:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, which the Coos Bay, Umpqua, and Siuslaw Tribes of Indians residing in the State of Oregon may have against the United States, shall be submitted to the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States for determination; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine any and all such claims and to render final judgment thereon.

The Court of Claims shall advance the cause upon its docket for hearing, and shall have authority to determine and adjudge the rights, both legal and equitable, of the said Coos Bay, Umpqua, and Siuslaw Tribes and of the United States in the premises, notwithstanding lapse of time or statutes of limitation. The suit or suits instituted hereunder shall be begun by the Coos Bay, Umpqua, and Siuslaw Tribes of Indians as parties plaintiff and the United States as the party defendant. The petition or petitions may be verified by the attorney or attorneys employed by the Coos Bay, Umpqua, and Siuslaw Tribes upon informa-

tion and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided*, That upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee not to exceed 10 per cent of the recovery to be paid to the attorney or attorneys employed by the said Coos Bay, Umpqua, and Siuslaw Tribes of Indians, and the same shall be included in the decree and shall be paid out of any sum or sums found due said tribes.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

Mr. SMOOT. I ask that Order of Business 328, House bill 9641, and all down to and including Order of Business 345 may go over.

The PRESIDING OFFICER. The Chair will call the attention of the Senator to the fact that Order of Business 328 is a pension bill.

Mr. SMOOT. Let that go over, too, because the chairman of the committee is not here.

The PRESIDING OFFICER. The bills will be passed over.

Mr. SHAFROTH. Is objection made to the consideration of Order of Business 331, the bill (S. 3898) to require cashiers and other officers of a national banking association handling its funds to give bond and to prevent its officers and employees from making erasures on the books of the association.

Mr. SMOOT. Yes; there is objection to the consideration of all those bank bills.

Mr. SHAFROTH. I hoped to get consideration of some of those measures. I have no objection to passing over bills that involve a dispute, but Senate bill 3898 involves simply the question of requiring subordinates to give bond and preventing the erasure of items in the ledgers of banks. There can not be any possible objection to that bill. It is evidently a measure that is in the interest of good banking. I ask that the bill may be read. I am sure that everyone will agree to it.

Mr. SMOOT. I objected to its consideration to-day, and it went over. I promised to object to all those bills.

The PRESIDING OFFICER. Objection is made, and the Secretary will announce the next bill on the calendar not objected to.

Mr. SHAFROTH. Mr. President, I do not feel that these bills ought to be objected to, and there can not be any objection to them. Here is a bill simply for the purpose of requiring subordinates to give bond—

The PRESIDING OFFICER. But they are objected to, and the Secretary will announce the next bill.

Mr. SHAFROTH. I am asking the Senator from Utah to withhold his objection so that I may make an explanation.

Mr. SMOOT. As I stated to the Senator, I promised to object to all these bills to-day, and I can not violate the promise I made.

ALFRED SJOSTROM.

The bill (S. 280) for the relief of Alfred Sjostrom was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment in line 6 to strike out "\$5,000" and insert "\$720," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred Sjostrom the sum of \$720 for injuries sustained by him while in the performance of his duties as an employee of the Government at Battle Mountain Sanitarium, Hot Springs, S. Dak., on December 3, 1910, in an accident in which he lost all the fingers of his right hand.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PETER M'KAY.

The bill (S. 304) for the relief of Peter McKay was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 6, to strike out "\$5,000" and insert "\$2,500," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter McKay, or his legal representatives, the sum of \$2,500, as full compensation for permanent injuries received by the said McKay on the 5th day of May, 1904, at Fort Worden, in the State of Washington, by being struck with a large piece of log hurled by the explosion of an excessive blast of powder discharged without warning by employees of the United States Government engaged in clearing lands at said Fort Worden under the direction and control of the United States Government.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALASKA STEAMSHIP CO.

The bill (S. 1090) for the relief of the Alaska Steamship Co. was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, on page 1, line 7, to strike out "\$9,024.27" and insert "\$5,974.27," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Alaska Steamship Co., a corporation organized and existing under the laws of the State of Nevada, out of any moneys in the Treasury not otherwise appropriated, the sum of \$5,974.27, in payment of the balance due said company for services rendered at the request of the United States deputy collector of customs at Unalaska, Alaska, and in pursuance of an agreement with him for the transportation and care of 193 survivors of the wreck of the American ship *Columbia* near Scotch Cap Lighthouse, Alaska, in May, 1909.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATE CANNIFF.

The bill (S. 57) for the relief of Kate Canniff was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 5, to strike out "\$5,000" and insert "\$1,345," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Kate Canniff the sum of \$1,345, out of any money in the Treasury not otherwise appropriated, in full compensation for the death of her husband, James Canniff, who received injuries April 15, 1901, while in the service of the United States on the lighthouse tender *Haxe*, and as a result of which he died on October 20, 1909.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE T. HAMILTON.

The bill (S. 1804) for the relief of George T. Hamilton was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 5, to strike out "\$5,000" and insert "\$1,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to George T. Hamilton, as full compensation for wounds received at the hands of soldiers of the United States in the year 1863.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN WYOMING.

Mr. KENDRICK. I ask that the bill (S. 728) to permit the State of Wyoming to relinquish to the United States lands heretofore selected and to select other lands from the public domain in lieu thereof be taken from the calendar and recommended to the Committee on Public Lands.

Mr. SMOOT. There is no objection to that.

The PRESIDING OFFICER. Without objection, that order will be made.

DELILAH SIEBENALER.

The bill (S. 924) for the relief of Delilah Siebenaler was considered as in Committee of the Whole. It authorizes the Secretary of Agriculture to refund to Delilah Siebenaler the sum of \$188.41, paid to the Department of Agriculture by her for certain timber which she cut from her homestead entry within the Cabinet Forest Reserve, Mont., prior to her receipt of patent therefor.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WAR DECORATIONS.

The joint resolution (S. J. Res. 143) to permit any and all members of the military or naval forces of the United States serving in the present war to accept decorations from the government of any of the countries concurrently engaged with the United States in the prosecution of said war was considered as in Committee of the Whole.

The joint resolution was reported from the Committee on Military Affairs with amendments, on page 1, line 5, to insert "during the present war or within one year thereafter"; on page 2, line 5, to insert:

Provided, That any officer or enlisted man of the military or naval forces of the United States is hereby authorized to accept and wear any medal or decoration heretofore bestowed by the government of any of the nations concurrently engaged with the United States in the present war.

And, after line 9, to insert a new section, as follows:

SEC. 2. That the President is authorized under regulations to be prescribed by him to confer such medals and decorations as may be authorized in the military and naval services of the United States upon officers and enlisted men of the military and naval forces of the countries concurrently engaged with the United States in the present war.

So as to make the joint resolution read:

Resolved, etc., That any and all members of the military or naval forces of the United States serving in the present war be, and they hereby are, permitted and authorized to accept, during the present war or within one year thereafter, from the government of any of the countries engaged in war with any country with which the United States is, or shall be, concurrently likewise engaged in war, such decorations, when tendered, as are conferred by such government upon the members of its own military and naval forces; and the consent of Congress required therefor by clause 8 of section 9 of Article I of the Constitution is hereby expressly granted: *Provided*, That any officer or enlisted man of the military or naval forces of the United States is hereby authorized to accept and wear any medal or decoration heretofore bestowed by the government of any of the nations concurrently engaged with the United States in the present war.

SEC. 2. That the President is authorized, under regulations to be prescribed by him, to confer such medals and decorations as may be authorized in the military and naval services of the United States upon officers and enlisted men of the military and naval forces of the countries concurrently engaged with the United States in the present war.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution authorizing the acceptance by members of the military or naval forces of the United States of decorations from the government of any of the countries concurrently engaged with the United States in the prosecution of the present war and the issuance by the United States of decorations to members of the military and naval forces of said countries."

CACHE NATIONAL FOREST, UTAH.

The bill (S. 4103) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto was announced as next in order.

Mr. SHAFROTH. I object to the consideration of that bill.

The PRESIDING OFFICER. Objection is made, and the bill will go over.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SMOOT. The next two bills, Order of Business 361 and 362, House bills 10027 and 10477, I ask may go over on account of the chairman not being here.

The PRESIDING OFFICER. The bills will go over.

RIGHTS OF WAY OVER FOREST RESERVES IN CALIFORNIA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4023) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Cal., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Cal., to the city of Los Angeles, Cal.," approved June 30, 1906, which had been reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, page 3, after line 2, to insert:

Provided, however, That the grant hereby made shall not apply to lands located in the drainage basin of Mono Lake or of Kern River, in said State.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 22, after the word "and," to insert "until said map or maps and the proposed plan of development have been"; on page 4, line 6, after the word "approval," to insert "by the Secretary of the Interior"; in line 7, after the word "maps," to insert "and the plan of development"; and in line 8, after the word "to," where it occurs the first time, to strike out "by the Secretary of the Interior," so as to make the section read:

SEC. 2. That section 2 of the act entitled and approved as aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 2. That on or before the 31st day of December, 1922, the city of Los Angeles shall file with the register of the United States land offices in the districts where the lands traversed by said rights of way are located a map or maps showing the boundaries, locations, and extent of said proposed rights of way, for the purposes stated in section 1 of this act, and there shall also be filed within that time all desired changes

of location, the amended map or maps necessary to show such changes of location to be filed in the same manner and subject to the same approval as are the original map or maps of location, but no construction work shall be commenced on any of said lands until the map or maps have been filed as herein provided and until said map or maps and the proposed plan of development have been approved by the Secretary of the Interior, and the approval by the Secretary of the Interior of any amended map or maps showing changes of location of said rights of way shall operate as an abandonment ipso facto by the city of Los Angeles, to the extent of such change or changes, of the rights of way indicated on the original map or maps: *Provided*, That any rights inuring to the city of Los Angeles under this act shall, on approval by the Secretary of the Interior of the map or maps and the plan of development referred to, relate back to the date of the filing of said map or maps with the register of the United States Land Office, as provided herein."

The amendment was agreed to.

The next amendment was, on page 4, after line 10, to insert a new section, as follows:

SEC. 3. That section 5 of the act entitled and approved as aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 5. That all lands over which the rights of way mentioned in this act shall pass shall be disposed of, subject to such easements: *Provided, however*, That if the construction of said waterworks shall not have been begun in good faith within five years of the date of the approval of this act, then all rights hereunder shall be forfeited to the United States: *And provided further*, That if any power or electric works or structure to be used in connection therewith shall not be completed within five years after approval of the map or maps of rights of way for such works or structure as herein provided, or within such additional time as the Secretary of the Interior shall, in his discretion, grant, then such rights herein granted shall be forfeited as to any uncompleted portion of such works or structure, to the extent that the same is not completed at the date of the forfeiture."

The amendment was agreed to.

Mr. LENROOT. Mr. President, I should like to ask merely one question in reference to section 5 of the bill.

Mr. SMOOT. I think I can answer the Senator's question, or the Senator from California [Mr. JOHNSON] can do so.

Mr. LENROOT. My inquiry is as to the language of the section:

That all lands over which the rights of way mentioned in this act shall pass shall be disposed of subject to such easements.

Is there an authorization or a direction to dispose of lands a part of which are in forest reserves?

Mr. SMOOT. The Secretary of the Interior has that right and authority, and he issues these easements over the public lands.

Mr. LENROOT. I understand that; but the lands within the forest reserves are not subject to disposition at all except in certain cases. Whether this is a direction to dispose of all lands covered by these rights of way is my question.

Mr. SMOOT. Mr. President, this is in conformity with a request made by the Secretary of Agriculture. The land being situated in forest reserves, if the Senator will notice the report—

Mr. LENROOT. I did notice that that is the recommendation of the Secretary.

Mr. SMOOT. On page 4 of the report the Secretary himself recommends that section 5 be amended to read exactly as the bill provides.

Mr. GRONNA. I think that this is a change of the present law. I do not think that there is any statute which provides for the disposal of a right of way in a forest reserve. There is a general law providing for the disposal of rights of way on public lands.

Mr. SMOOT. As the Senator from North Dakota will see, this is the provision of the law.

That all lands over which the rights of way mentioned in this act shall pass shall be disposed of subject to such easements.

In other words, the lands can not be disposed of in any other way except subject to the easements which have been granted.

Mr. GRONNA. Then I ask for whose benefit this is proposed?

Mr. SMOOT. For the benefit of the city of Los Angeles.

Mr. GRONNA. Why should those lands be disposed of for the benefit of the city of Los Angeles or for the benefit of any other city so long as they are in a forest reserve?

Mr. SMOOT. Because a pipe line must run through the forest reserves in order to get the water from where the intake is to the city.

Mr. GRONNA. I know that the city of Los Angeles has been given the privilege to use the lands in this forest reserve for this particular purpose, but for no other purpose. Mr. President, if it is not too late I shall object to the consideration of the bill.

The PRESIDING OFFICER. The bill will go over.

Mr. PHELAN. Mr. President—

Mr. GRONNA. If I may be permitted, I will reserve the right to object to the consideration of the bill. I should like to have a further explanation of it from the Senator from Cal-

for California [Mr. JOHNSON]; but I am opposed to disposing of any of the public lands for the benefit of any city or for the benefit of any private corporation. That is my objection to the bill.

Mr. JOHNSON of California. Mr. President, if I may enlighten the Senator from North Dakota, the design of this bill is not at all of that sort. Its purpose is to give a mere right of way for the particular pipe line that is now there in existence. It legalizes what has already transpired and does not do what the Senator from North Dakota thinks that it does.

Mr. SMOOT. Mr. President, I think that what I said covers it all; that there is no transfer of land whatever to the city of Los Angeles or to anyone else, but—

That all lands over which the rights of way mentioned in this act shall pass shall be disposed of subject to such easements.

Or, in other words, whatever easements have been granted in these lands, if the Government itself should dispose of them in any way, they would be subject to the easements which the Government has given to the city of Los Angeles. That is all there is to it.

Mr. JOHNSON of California. That is it.

Mr. GRONNA. Why should the city of Los Angeles be given the right at all to dispose of the land in any manner or to use it in any way except for specific purposes?

Mr. SMOOT. They have no such right.

Mr. JOHNSON of California. They have no such right, but have only the mere easement, a right of way for the pipe line; nothing more than that.

Mr. GRONNA. I confess, Mr. President, that I never even have read the bill, but the inquiry of the Senator from Wisconsin [Mr. LEXROTH] led me to believe that this was legislation which provided for the granting of some right to this particular city, and if it were not used by the city of Los Angeles that city could dispose of it to some one else.

Mr. SMOOT. It may be that I can explain it to the Senator from North Dakota more in detail in this way—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. GRONNA. I do.

Mr. SMOOT. The bill grants an easement for a pipe line through a forest reserve to the city of Los Angeles. If the Government decides later to sell any part of this land in the forest reserve—for instance, to some lumber people who may desire it—in selling that land to anyone it must be sold subject to the easement which has been granted for a pipe line to the city of Los Angeles. That is all there is to the proposition.

Mr. JOHNSON of California. Exactly. If the Senator from North Dakota will yield for an instant—

Mr. GRONNA. I yield to the Senator from California.

Mr. JOHNSON of California. The Senator from Wisconsin presented merely a question of phraseology, and that related to section 5. If the Senator from North Dakota will follow me for just an instant he will see that the language is:

That all lands over which the rights of way mentioned in this act shall pass shall be disposed of subject to such easements.

It simply requires that the subsequent disposition of the land over which these pipe lines pass shall carry with the transfer the easements for the right of way. That is all; that is the only purpose.

Mr. GRONNA. Mr. President, I have no objection to the bill. The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WAR AGAINST BULGARIA AND TURKEY.

The resolution (S. Res. 229) to request the Committee on Foreign Relations, to which was referred S. J. Res. 145, to give said resolution early consideration and report to the Senate thereon was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDING OFFICER. The resolution goes over.

JACOB NICE.

The bill (S. 1477) for the relief of Jacob Nice was considered as in Committee of the Whole. It provides that in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Jacob Nice, who was a private of Company G, Ninety-fifth Regiment Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that company and regiment on the 17th of August, 1865, but no back pay, pension, or other emolument shall accrue prior to the passage of the act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN DOYLE, ALIAS JOHN GEARY.

The bill (S. 1923) for the relief of John Doyle, alias John Geary, was announced as next in order.

Mr. SMOOT. Mr. President, I notice that there is no report here from the War Department upon this bill; and I really can not, from the committee report, see why the bill should be passed. The same is true as to the bill just previously passed, being Senate bill 1477. There is generally a report from the department as to why such bills should be passed. Can the Senator reporting the bill tell us why such a report was not called for?

Mr. SHAFROTH. Mr. President, if the Senator from Utah will let this bill go over for a moment and let it come up a little later, I shall probably be able to enlighten him.

Mr. SMOOT. I ask that the vote by which the bill (S. 1477) for the relief of Jacob Nice was passed be reconsidered and that the bill then be passed over temporarily.

The PRESIDING OFFICER. Without objection, it will be so ordered; and that bill and the bill last announced on the calendar, being the bill (S. 1923) for the relief of John Doyle, alias John Geary, will be passed over for the present.

BILLS PASSED OVER.

The bill (S. 3907) to provide for the consolidation of national banking associations was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 4426) to amend and reenact sections 5235 and 5236 of the Revised Statutes of the United States by providing for a guaranty fund for payment of certain deposits, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

FRANCIS M. ATHERTON.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3124) for the relief of Francis M. Atherton. It proposes that in the administration of the pension laws Francis M. Atherton shall hereafter be held and considered to have been mustered into the service of the United States as a member of the First Battery Vermont Volunteer Light Artillery on the 15th of March, 1862, and to have been honorably discharged on the 1st of February, 1863, and to have been mustered into the service of the United States as an unassigned recruit on the 19th of December, 1863, and to have been honorably discharged on the 9th of March 1864.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAY OF ARMY FIELD CLERKS.

The bill (S. 4451) to provide for allowances for and minimum pay of Army field clerks, to provide for increased pay to Army field clerks for service beyond the continental limits of the United States, and to provide quarters or commutation thereof to Army field clerks in certain cases was considered as in Committee of the Whole. The bill was read, as follows:

Be it enacted, etc., That hereafter Army field clerks shall have the same allowances and benefits as heretofore allowed by law to pay clerks, Quartermaster Corps: *Provided, however*, That the minimum or entrance pay, exclusive of said allowances, of said Army field clerks shall be \$1,200 per annum: *And provided further*, That Army field clerks shall receive the same increase of pay for service beyond the continental limits of the United States as is now allowed by law to commissioned officers of the Army.

SEC. 2. That during the present emergency every Army field clerk, while on active duty in the field or on active duty without the territorial jurisdiction of the United States, who maintains a place of abode for a wife, child, or dependent parent, shall be furnished at the place where he maintains such place of abode, without regard to personal quarters furnished him elsewhere, the number of rooms heretofore allowed by law to pay clerks, Quartermaster Corps, to be occupied by, and only so long as occupied by, said wife, child, or dependent parent; and in case such quarters are not available every such Army field clerk shall be paid commutation thereof and commutation for heat and light at the rate authorized by law in cases where public quarters are not available: *Provided*, That nothing in this act shall be so construed as to reduce the allowances now authorized by law for any person in the Army.

Mr. SMOOT. Mr. President, I have received a number of communications in reference to this bill, and I thought I had them here in my desk. I find, however, that I have not, and I desire to ask some member of the Military Committee relative to a certain provision in the bill which was referred to in those letters. I dislike to ask that it go over, but I will inquire of the Senator from New York if this was a unanimous report from the Committee on Military Affairs?

Mr. WADSWORTH. My recollection is that it was a unanimous report, but I am not absolutely certain of it.

Mr. SMOOT. Does the Senator think it is a just bill?

Mr. WADSWORTH. I do; yes.

Mr. SMOOT. I know that letters I have received complained about the bill, but I do not feel justified in asking that it go over because I have not the letters with me.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COPPER RIVER & NORTHWESTERN RAILWAY CO.

The bill (S. 3002) for the relief of the Copper River & Northwestern Railway Co. was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the Copper River & Northwestern Railway Co., a corporation organized and existing under the laws of the State of Nevada, \$3,102.92, in refund of the gross income tax paid to the collector of internal revenue at Tacoma, Wash., on May 21, 1915, pursuant to a tax levied under the act of Congress approved July 18, 1914 (38 Stat., p. 517), for the period beginning January 1 and ending June 30, 1914, for which period the company had previously paid the license fee or tax provided by the act approved March 3, 1899 (30 Stat., pp. 1336, 1337), as amended by the act approved June 6, 1900 (31 Stat., pp. 330, 331).

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARTER OF NATIONAL GERMAN-AMERICAN ALLIANCE.

The bill (S. 3529) to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the Judiciary with an amendment to strike out section 2, as follows:

SEC. 2. That the Attorney General is directed to bring an action in any district court of the United States having jurisdiction of the property of said corporation to have a receiver appointed to take charge of such property, pay the debts, and wind up the affairs of said corporation.

So as to make the bill read:

Be it enacted, etc., That the act approved February 25, 1907, entitled "An act to incorporate the National German-American Alliance," be, and the same is hereby, repealed.

The amendment was agreed to.

Mr. SMOOT. Mr. President, as I understand, the Senator from Idaho [Mr. BORAH] desired to be present when this bill was under consideration. I also think that there was a similar request from another Senator. I will, therefore, ask that the bill go over temporarily, and if the Senator returns to the Chamber we can revert to it.

The PRESIDING OFFICER. The bill will be passed over.

ANSEL G. WINEMAN.

The bill (S. 3566) authorizing the President to appoint Second Lieut. Ansel G. Wineman as a provisional second lieutenant in the Regular Army was considered as in Committee of the Whole. It authorizes the President to issue a commission to Second Lieut. Ansel G. Wineman as a provisional second lieutenant in the Regular Army, to take rank from the date he would have taken rank had he been considered eligible at the date of his examination, July 23, 1917.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ISAAC J. REESE.

The bill (S. 2205) for the relief of Isaac J. Reese was considered as in Committee of the Whole. It provides that in the administration of the pension laws Isaac J. Reese shall hereafter be held and considered to have been in the military service of the United States as a private of Company K, One hundred and ninety-fourth Regiment Pennsylvania Volunteer Infantry, from the 24th day of July, 1864, to the 6th day of November, 1864, and to have been honorably discharged from the service on the date last named, but no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 10843) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was announced as next in order.

Mr. SMOOT. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF PENAL LAWS.

The bill (S. 4428) to amend section 272 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, was considered as in Committee of the Whole. It proposes to amend section 272 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stats., p. 1142), by adding thereto a paragraph to read as follows:

Fifth. When committed upon the person of any officer or enlisted man of the Army, Navy, or Marine Corps of the United States while said officer or enlisted man is engaged in the performance of his official duties.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CARE OF ALIENS DISCHARGED FROM MILITARY FORCES.

The bill (S. 4365) to authorize the President to make provision for the care and treatment of persons discharged from the military or naval forces of the United States who are citizens of any nation at war with a nation with which the United States is at war was considered as in Committee of the Whole. It authorizes the President of the United States to make provision for such care and treatment as he may deem advisable of persons discharged from the military or naval forces of the United States on account of physical disability who are citizens of any nation at war with a nation with which the United States is at war; but such provision shall be made only for the citizens of a nation that makes suitable provision for the care and treatment of persons discharged from the military or naval forces on account of physical disability who are citizens of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PINEY BRANCH ROAD, DISTRICT OF COLUMBIA.

The bill (S. 3172) to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

LAND AT LEON SPRINGS, TEX.

The bill (S. 2704) for the acquisition of additional land at the Leon Springs Military Reservation, Tex., was announced as next in order.

Mr. SMOOT. I notice from the calendar I have, which was printed to-day, that No. 2704 does not appear on it.

The PRESIDING OFFICER. The suggestion is made to the Chair that the Printing Office probably dropped it from the calendar through inadvertence.

Mr. SMOOT. I will ask the Senator from Texas [Mr. SHEPPARD] if the bill, the title of which has just been read, was unanimously reported from the Committee on Military Affairs?

Mr. SHEPPARD. It was; and the Military Affairs Committee reported it at the urgent request of the Secretary of War. I had previously introduced the bill.

Mr. SMOOT. Very well.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate \$316,941 for the acquisition of land as an addition to the Leon Springs Military Reservation, Tex.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SHEPPARD. I ask that the bill as passed by the Senate, together with the report submitted by me from the Committee on Military Affairs, be printed in the RECORD.

There being no objection, the bill as passed and the report were ordered to be printed in the RECORD, as follows:

A bill (S. 2704) for the acquisition of additional land at the Leon Springs Military Reservation, Tex.

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$316,941 for the acquisition of land as an addition to the Leon Springs Military Reservation, Tex.

Mr. SHEPPARD, from the Committee on Military Affairs, submitted the following report:

The Committee on Military Affairs, to which was referred the bill (S. 2704) for the acquisition of additional land at the Leon Springs Military Reservation, Tex., having had the same under consideration, reports thereon with the recommendation that it do pass, and in support thereof submits the following communications from the War Department:

WAR DEPARTMENT,

Washington, November 22, 1917.

To the CHAIRMAN COMMITTEE ON MILITARY AFFAIRS.

United States Senate.

Sir: Favorable consideration of this bill (S. 2704) is requested. Inclosed is an extract copy of an indorsement from the officer in charge of cantonment construction which I beg leave to bring to your notice, as it shows conclusively the necessity of acquiring the land as an addition to the Leon Springs Military Reservation, Tex.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

1. The land in question contains approximately 16,000 acres, and the estimated cost of the same is \$316,941.

2. On September 12, 1917, the commanding general, Southern Department, was authorized to lease this land for target range, maneuver, trench work, bombing instruction, and other drill purposes, for \$75,000 to the end of fiscal year (June 30, 1918), and in the event land is purchased all the unaccrued portion of lease money is to be credited to the purchase amount. A purchase option was included in the leases which will expire on June 30, 1918.

3. The target range to be constructed on these leased lands will cost approximately \$60,000, and the damage to improvements necessary in constructing the range will be considerable.

4. Should the land not be purchased some of the owners will have leased at a sacrifice on account of having to remove cattle, etc., from the lands. This necessitated either their selling at the present low prices or securing other pasture lands.

5. By first indorsement, date June 24, 1917, from the commanding general, Southern Department, to The Adjutant General of the Army, the following reasons were given for the acquisition of this land:

"The Leon Springs Military Reservation is an excellent tract of land, of about 17,273.87 acres, for military purposes. It has, however, a number of disadvantages.

"(a) Owing to its distance (22 miles) from Fort Sam Houston, it takes two days for Infantry to make the march.

"(b) It is now becoming somewhat crowded on account of the cantonments recently completed and under construction for four regiments of Field Artillery, one regiment of Infantry, one regiment of Engineers, a training camp that will accommodate 3,000 student officers, a large remount depot, storehouse, and two small-arms target ranges.

"(c) The greatest dimension of the reservation from north to south is about 5 miles and from east to west about the same, but the tract is quite irregular, and the difficulties of conducting suitable maneuvers on this ground have been found in the past to be serious when large bodies of troops are employed.

"(d) Additional room is very much needed for artillery practice, machine-gun practice, exercises in combat firing, and for maneuvers of large bodies of troops, notwithstanding that the cantonment now under construction for the Regular troops was located up against the western boundary line of the reservation in order to avoid undue interference in the use of the ground for range practice and maneuvers.

"It is proposed to extend the reservation toward the south for a distance of about 5 miles, having an area of approximately 16,000 acres, the land costing on an average of \$18.96 per acre—a very reasonable price. The advantages of this enlargement are as follows:

"(a) It will bring the portion of the reservation on which camping is possible within 10 miles of the post instead of 22 miles, making it an easy march for Infantry.

"(b) It will more than double the value of the tract for maneuvers and for artillery practice.

"(c) It will bring on the reservation 12 additional wells, with a total of 168,000 gallons of water per day. This is an important matter, as water has been scarce at times. [There are also two on the Mueser tract, one on the Lieber tract, a very strong well on the Sand, Lime & Brick Co. tract, and one on the Rudolph Ave tract valued at \$1,200.]

"(d) It will afford large additional areas for grazing animals and for cutting hay. It is to be noted that by using hay cut on the reservation it will be possible to save \$5 per ton. Since each animal consumes on an average of 2 tons of hay per year, it is not impossible to pay the interest on the value of this property in savings on hay alone.

"(e) Finally, it will add to the reservation an area making the whole an important field for the concentration of troops and training ground worthy of its importance."

WAR DEPARTMENT,

Washington, April 9, 1918.

To the CHAIRMAN COMMITTEE ON MILITARY AFFAIRS.

United States Senate.

Sir: Favorable consideration of Senate bill 2704 is requested. The desirability of this tract of land for military purposes has previously been brought to your attention by a letter under date of November 22, 1917. The purchase option on this leased ground, which it is proposed the Government acquire by purchase, expires July 1, 1918. Should the land not be purchased, some of the owners will have leased at a sacrifice on account of having to remove their stock from the land, necessitating the disposing of same at the market price at that time or securing other pasture lands. This land is used as a target range at present for both Artillery and Infantry troops, and it is of the greatest importance that for the training of troops at that point this land be acquired by the Government.

Respectfully,

BENEDICT CROWELL,
Acting Secretary of War.

CORRUPT PRACTICES.

The bill (S. 3438) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress was announced as next in order.

Mr. MARTIN. Mr. President, I have no familiarity with that bill, but evidently it is an important measure, and, as only a few Senators are present, I object to its immediate consideration.

The PRESIDING OFFICER. Objection being made, the bill will be passed over.

BILLS PASSED OVER.

Mr. SMOOT. I ask that Calendar No. 385, being House bill 10850, Calendar No. 386, being House bill 10924, and Calendar No. 389, being House bill 11364, all being pension bills, be passed over.

The PRESIDING OFFICER. The bills will be passed over. The bill (S. 3914) authorizing a right of way for the transportation of water for improvement of grazing and development of the live-stock industry upon public and national forest lands in Arizona was announced as next in order.

Mr. LENROOT. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3735) to provide for enlistments in the National Guard of the District of Columbia, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I have had a visit from some person residing in the District who made complaint about this bill. I do not know anything about it, and I should be very glad if the Senator from New York [Mr. WADSWORTH] would briefly explain the object of the measure.

Mr. McKELLAR. I will ask the Senator from New York if the bill now called on the calendar is the one relating to the National Guard of the District?

Mr. WADSWORTH. It relates to the National Guard of the District of Columbia.

The PRESIDING OFFICER. That is the bill now before the Senate.

Mr. McKELLAR. I object to that bill.

The PRESIDING OFFICER. The bill will be passed over.

PROTECTION OF MILITARY CAMPS.

The bill (S. 4498) to amend section 13 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, was considered as in Committee of the Whole. It proposes to amend section 13 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, to read as follows, subject to the same modifications as prescribed in the act approved October 6, 1917:

SEC. 13. That during the present emergency it shall be unlawful, within such distance of any military camp, station, fort, post, cantonment, training or mobilization place as the Secretary of War shall determine to be needful to the efficiency and welfare of the Army, and shall designate and publish in general orders or bulletins, to engage in prostitution or to aid or abet prostitution, or to procure or solicit for purposes of prostitution, or to keep or set up a house of ill fame, brothel, or bawdy house, or to receive any person for purposes of lewdness, assignation, or prostitution into any vehicle, conveyance, place, structure, or building; or to permit any person to remain for purposes of lewdness, assignation, or prostitution in any vehicle, conveyance, place, structure, or building; and any person, corporation, partnership, or association violating the provisions of this section shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both such fine and imprisonment, and any person subject to military law violating this act shall be punished as provided by the Articles of War; and the Secretary of War is hereby authorized, empowered, and directed to do everything by him deemed necessary to suppress and prevent violation thereof.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RIGHT OF ACTION FOR INJURIES.

The bill (S. 72) concerning actions on account of death or personal injury within places under the exclusive jurisdiction of the United States was considered as in Committee of the Whole. The bill has been reported from the Committee on the Judiciary with an amendment, in line 11, after the word "State," to strike out "wherein" and insert "within," so as to make the bill read:

Be it enacted, etc., That in the case of the death of any person by the neglect or wrongful act of another within a national park or other place subject to the exclusive jurisdiction of the United States, such right of action shall exist as though the place were under the jurisdiction of the State within whose exterior boundaries such place may be; and in any action brought to recover on account of injuries sustained in any such place the rights of the parties shall be governed by the laws of the State within the exterior boundaries of which it may be.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN C. HESSE.

The bill (S. 1879) for the relief of John C. Hesse was considered as in Committee of the Whole. It authorizes the Secretary of War to restore the name of John C. Hesse to the official medal of honor list and to the Army and Navy medal of honor

roll, with all the rights, privileges, and benefits thereof, in view of the fact that the congressional medal of honor authorized by the act of Congress approved March 3, 1863, was presented to him in person by Secretary of War Stanton on September 10, 1864, for distinguished gallantry and great personal bravery in preserving and bringing away the colors of the Eighth Regiment United States Infantry after the capture of the regiment at San Antonio, Tex., in the month of April, 1861, at which time he was a sergeant of Company A of that regiment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COPYRIGHTED MEDICAL BOOKS.

The bill (S. 4423) relating to the deposit of copyrighted books upon medical and allied subjects was announced as next in order.

Mr. SMOOT. Mr. President, I should like to ask the Senator from New York [Mr. WADSWORTH], who reported the bill, why three copies of medical books published should be deposited, while under the law, as I remember it, only two copies of other kinds of books are required to be deposited?

Mr. WADSWORTH. The purpose of this bill is to enable the library of the Surgeon General's Office to acquire copies of all the new medical publications. It is an amendment to the law and merely provides that, instead of two medical books being deposited with the Library of Congress, three shall be deposited, one to be used by the Army Medical Library.

Mr. SMOOT. I think that it will work a hardship upon publishers of this class of books, because usually they are issued in limited numbers and are not sold to the public generally, and I am fearful that if the publishers are required to deposit three copies it may work a hardship.

Mr. WADSWORTH. We had the matter up in the Committee on the Library and we concluded that it would not amount to much of a hardship to have one more copy of a book filed with the Government.

Mr. SMOOT. We might say that of every book that is copyrighted.

Mr. WADSWORTH. It might involve a dollar and a half or two dollars to the struggling publisher.

Mr. SMOOT. It will not fall altogether on the publisher; it is the author of works of this kind who will have to pay.

Mr. WADSWORTH. I may say that the Surgeon General regards this as an exceedingly convenient and valuable way of reinforcing the medical library of the Army.

Mr. SMOOT. That is all; and the Government is not to pay for the books, but somebody else is to advance the money. If it were made universal I would not object at all, but it does seem to me that to pick out just one class of copyrighted books, a class which is never published in large quantities, is a discrimination that never ought to be made. I dislike to object to the consideration of the bill, and yet I feel like offering an amendment to it to make it apply to all books copyrighted, if we are going to undertake to make this kind of a requirement in the case of a certain class of books under our copyright laws.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. I will not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that in copyrighted books upon medical and allied subjects there shall be deposited with the Congressional Library three copies, one of which shall be for file in the library of the Surgeon General's Office of the United States Army, that library being the large general medical library for the use of the medical profession of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JUDICIAL DISTRICTS IN OKLAHOMA.

The bill (H. R. 5558) to amend section 101 of the Judicial Code was considered as in Committee of the Whole. The bill had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "approved," to strike out "May" and insert "March"; in line 8, after the word "amended," to insert "so as"; and in line 9, before the words "State of Oklahoma," to strike out "That the" and insert "The," so as to make the bill read:

Be it enacted, etc. That section 101 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the act approved February 20, 1917, be, and the same is hereby, amended so as to read as follows:

"Sec. 101. The State of Oklahoma is divided into two judicial districts, to be known as the eastern and western districts of Oklahoma. The eastern district shall include the territory embraced on the 1st day of July 1916, in the counties of Adair, Atoka, Bryan, Craig, Cherokee, Creek, Choctaw, Coal, Carter, Delaware, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston, Latimer, Le Flore, Love, McClain, Mayes, Muskogee, McIntosh, McCurtain, Murray, Marshall, Nowata, Ottawa,

Okmulgee, Okfuskee, Pittsburg, Pushmataha, Pontotoc, Rogers, Stephens, Sequoyah, Seminole, Tulsa, Washington, and Wagoner. Terms of the district court for the eastern district shall be held at Muskogee on the first Monday in January, at Vinita on the first Monday in March, at Tulsa on the first Monday in April, at South McAlester on the first Monday in June, at Ardmore on the first Monday in October, and at Chickasha on the first Monday in November of each year. The western district shall include the territory embraced on the 1st day of July, 1916, in the counties of Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, Major, Noble, Oklahoma, Osage, Pawnee, Payne, Pottawatomie, Roger Mills, Texas, Tillman, Washita, Woods, and Woodward. Terms of the district court for the western district shall be held at Oklahoma City on the first Monday in January, at Enid on the first Monday in March, at Guthrie on the first Monday in May, at Lawton on the first Monday in September, and at Woodward on the second Monday in November: *Provided*, That suitable rooms and accommodations for holding court at Woodward are furnished free of expense to the United States. The clerk of the district court for the eastern district shall keep his office at Muskogee and the clerk for the west district at Guthrie, and shall maintain an office in charge of himself or a deputy at Oklahoma City."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER.

Mr. SMOOT. I ask that Order of Business No. 400, being Senate bill 4542, a pension bill; Order of Business 401, being Senate bill 4543, a pension bill; and Order of Business 402, being Senate resolution 241, be passed over.

Mr. WADSWORTH. Does the Senator ask that Order of Business 402 go over?

Mr. SMOOT. I do at this time. I will say to the Senator that the committee expects to meet in a very few minutes.

The PRESIDING OFFICER. Does not the Senator mean Order of Business No. 400 and Order of Business No. 401?

Mr. SMOOT. I desire Order of Business 400, Order of Business 401, and Order of Business 402 to go over at this time, for the reason that the committee expects to meet in a very few moments for the further consideration of the resolution. I think we can get it up to-morrow morning; we certainly can if we have the votes; and I believe it would be the best policy to allow it to go over at this time.

Mr. WADSWORTH. Mr. President, it was just on that point that I desired to make a statement. If this resolution goes over until to-morrow morning it will find the subcommittee on ordinance of the Committee on Military Affairs absent. It is fair to say that while these discussions and conferences have been going on, the subcommittee on ordinance of the Committee on Military Affairs is proceeding with its work upon the invitation of the War Department; and our tickets are purchased for a trip to the Aberdeen Proving Grounds, and the train leaves at 5 minutes of 7 to-morrow morning. I hope the resolution will not be brought up in my absence.

Mr. THOMAS. Mr. President, how long does the Senator expect to be absent?

Mr. WADSWORTH. We will be gone for the entire day.

Mr. McKELLAR. Will the subcommittee be back on Wednesday?

Mr. WADSWORTH. It expects to get back to-morrow night. Mr. McKELLAR. Then I will say to the Senator that in so far as I am able to do it, I give notice now that I intend to bring this matter before the Senate on Wednesday morning.

Mr. SMOOT. That will be satisfactory.

Mr. LEWIS. Mr. President, may I inject a parliamentary inquiry? Is this the resolution touching the aircraft?

Mr. McKELLAR. It is.

Mr. LEWIS. The Senator gives notice that he desires and intends to bring up the matter on Wednesday morning?

Mr. McKELLAR. On Wednesday.

Mr. LEWIS. And from that statement may we gather that not until Wednesday is the matter to be brought up?

Mr. McKELLAR. Not so far as I am concerned.

Mr. SMOOT. Or as far as I am concerned.

Mr. THOMPSON. Mr. President, for the moment I was absent from the Chamber when the Senator from Tennessee made his statement regarding Senate resolution 241. May I inquire as to what it was?

Mr. McKELLAR. I merely gave notice that I intended to call it up on Wednesday in the morning hour.

Mr. THOMPSON. Very well; but, of course, that does not necessarily mean it will be taken up at that time.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

The joint resolution (S. J. Res. 139) for the appointment of three members of the Board of Managers of the National Home

for Disabled Volunteer Soldiers was considered as in Committee of the Whole. It proposes that George H. Wood, of Ohio; James S. Catherwood, of Illinois; and John C. Nelson, of Indiana, be appointed members of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States, to succeed George H. Wood, of Ohio; James S. Catherwood, of Illinois; and John C. Nelson, of Indiana, whose terms of office expired April 21, 1918.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. This concludes the call of the calendar.

JOHN DOYLE, ALIAS JOHN GEARY.

Mr. SHAFROTH. Mr. President, I ask unanimous consent to take up a case which was temporarily passed over, being Senate bill 1923, for the relief of John Doyle.

The PRESIDING OFFICER. The bill was passed over for the time being.

Mr. SHAFROTH. Mr. President, in relation to that measure, some reference was made to the fact that the report of The Adjutant General was desired. I have here the report of The Adjutant General in this case. It was made a considerable number of years ago, but nevertheless it is a report on the matter [reading]:

CASE OF JOHN DOYLE, ALIAS JOHN GEARY, LATE PRIVATE COMPANY C,
ELEVENTH REGIMENT ILLINOIS VOLUNTEER CAVALRY.
WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
July 11, 1911.

The honorable the SECRETARY OF WAR:

It is shown by the records that John Geary was enrolled October 19, 1861, and was mustered into service December 20, 1861, as a private of Company C, Eleventh Illinois Volunteer Cavalry, to serve three years. He was captured September 25, 1862, and paroled October 9, 1862, and was declared exchanged in orders from this department dated January 10, 1863. Although the orders in which this soldier was declared exchanged were widely published in the newspapers throughout the country, it does not appear that he ever thereafter reported his whereabouts to the military authorities or returned to his command, which remained in service until September 30, 1865. The publication of the orders in question was a notice to all paroled prisoners concerned to place themselves under military control. Failing to report his whereabouts or the cause of his absence to the military authorities, this soldier became a deserter on January 10, 1863, the date of the promulgation of the order of exchange in his case.

Applying to this department for an honorable discharge, John Doyle, aged 72 years, a resident of Homer, Iowa, in an affidavit executed August 2, 1910, declared as follows:

"That he enlisted in Company C, Eleventh Illinois Cavalry, at Galesburg, Ill., about September or October, 1861, under the name of John Geary. That he served until taken prisoner at Davis Bridge, Miss., in the fall of 1862. He remained a prisoner about 15 days and was then paroled at Holly Springs. He further says that after being paroled he went to Baton Rouge, La., and down the river to New Orleans, and from thence to New York by the steamer *General McClellan*. While in New York Maj. Wagner, who was also paroled, went to Washington and got transportation for us home, with the understanding that he would notify us when we were exchanged and we could return to our commands. Not receiving any notice, the said John Doyle remained at home and never received any discharge."

The application for an honorable discharge in the case of this soldier, involving removal of the charge of desertion, has been denied by the War Department, and now stands denied on the ground that he did not complete his term of enlistment, and that it appears from his own statement that he was not prevented from completing it by reason of wounds, injuries, or disease received or contracted in the line of duty, and because the case does not come within any of the other provisions of the act of Congress approved March 2, 1889, the only law in force governing the subject of removal of charge of desertion.

Respectfully submitted.

F. C. AINSWORTH,
The Adjutant General.

Mr. SMOOT. Mr. President, I just want to ask the Senator a question, and perhaps it will obviate the necessity of any further discussion of this matter.

Mr. KING. Mr. President, I hope the Senator will not state that, because, with my present views, I shall object. No deserter shall get a pension, as far as I can prevent it.

Mr. SHAFROTH. Mr. President, this man was totally ignorant. He could not read or write. He was turned loose with the declaration that he would be notified when wanted, and the War Department says that the only notice that was ever given was a published notice. When a man can not read, I should like to know how notice was given to him. He is probably 78 or 79 years old now. Upon his statement, having served for over 18 months, having been taken prisoner in Mississippi and taken to Louisiana, and then to Washington, and then taken by his major to New York, and there having been told that he would be notified when he was wanted, I should like to know why it is not a meritorious case.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. SHAFROTH. I do.

Mr. THOMAS. May I ask my colleague how many years elapsed between the time of the entry of this order against this man and the time when he made application to have his record corrected?

Mr. SHAFROTH. Oh, I do not know. I think he has been after it ever since the war was over.

Mr. THOMAS. But does the Senator know?

Mr. SHAFROTH. No; I do not.

Mr. THOMAS. My experience is that in most of these cases the application is not made until the Government testimony is all under the ground.

Mr. SHAFROTH. The Government had no testimony and never did have any testimony. The Adjutant General says that the notice which was given was a published notice. Here is a man who has signed his affidavit simply by mark, who can not read or write, and when the War Department says that notice was given by publication it means that no notice was given to him. He served for 18 months and was taken prisoner. He was not a man who went into the Army for 90 days and quit. It seems to me that the case is a meritorious one and ought to be approved.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KING. Mr. President, I dislike very much to object to the consideration of this bill. I recall a number of years ago, when I had the honor to serve in the other branch of Congress, that a large number of applications were made by men who had been deserters to clear their records and to be placed upon the pension rolls. It seems to me that that practice has been continued. I have no doubt that there are some instances where their names ought to be placed upon the roll, and they are entitled to a pensionable status; but I am satisfied that there are many who, as the Senator from Colorado [Mr. THOMAS] has just stated, wait until the Government's evidence of their desertion is under the ground, and then they come here with the utmost serenity and ask for a pension.

I object to the consideration of this bill.

Mr. SHAFROTH. Mr. President, I hope the Senator will withhold his objection for a minute. I want to read this affidavit to the Senator. It is the affidavit of this man, made in 1911.

Mr. KING. Let me suggest to the Senator that I shall be glad to look into this case a little further, and it can be called up to-morrow or on some succeeding day.

Mr. SHAFROTH. All right.

CORRUPT PRACTICES.

Mr. POMERENE. Mr. President, I was attending a committee meeting at the time of the call of the calendar. I ask unanimous consent that we return to Order of Business 384, Senate bill 3438.

Mr. SMOOT. What is the bill?

Mr. POMERENE. It is a very short bill on the subject of corrupt practices.

Mr. SMOOT. That bill can not be passed to-night, Mr. President.

Mr. POMERENE. What is the objection?

Mr. SMOOT. There are only a few Senators here, and it would lead to discussion that could not be concluded to-night.

Mr. POMERENE. I know; but this is a matter which simply relates to the giving of money or some other substance in a corrupt way, and there is no Federal statute on the subject. Nearly all of the States have statutes bearing upon the subject. I do not see how any possible objection can be raised to it.

Mr. SMOOT. The Senator from Virginia [Mr. MARTIN] objected to its consideration.

Mr. MARTIN. Mr. President, I objected to the consideration of the bill simply because it seemed to be an important subject, and I knew nothing about it. The Senator in charge of the bill was not in the Chamber at the time, and there was no information regarding it before the Senate.

I think it is just as well, as the bill has been passed over, to have it go over for to-day, and there will be an opportunity to bring it up again. I know nothing about the bill, and did not make my objections on the merits, but simply from the facts I have stated.

Mr. POMERENE. Of course, if objection is made I am powerless in the matter at this time. I may say that this matter was gone into very carefully by a subcommittee composed of the junior Senator from Iowa [Mr. KENYON], the junior Senator from Montana [Mr. WALSH], and a third Senator whose name I have forgotten, and it relates to a subject on which we have no Federal statute whatever. It simply goes to the question of the honesty of Federal elections.

Mr. MARTIN. Mr. President, I am in no sense antagonistic to the bill. I objected simply because there was no one here to explain it, and I knew nothing about it, and there were only a very few Senators on the floor. There will be an opportunity to look into it.

Mr. POMERENE. There is some one here to explain it now, so I hope the Senator will not insist on his objection.

Mr. SMOOT. Mr. President, I think that to-morrow we can take up the calendar, and go over it again and go through it.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m., Monday, May 20, 1918) the Senate adjourned until to-morrow, Tuesday, May 21, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate May 20 (legislative day of May 17), 1918.

APPOINTMENTS IN THE ARMY.

CHIEF OF COAST ARTILLERY.

Brig. Gen. Frank W. Coe, National Army, to be Chief of Coast Artillery, with rank of major general, for a period of four years from May 24, 1918, vice Maj. Gen. Erasmus M. Weaver, to be retired from active service May 23, 1918.

GENERAL OFFICER.

Brig. Gen. John D. Barrette, National Army, to be brigadier general in the Regular Army from February 21, 1918, vice Brig. Gen. James Parker, retired from active service February 20, 1918.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:

Alfred T. Clay,
Robert C. Lee,
Leslie L. Jordan,
Lawrence F. Reifsnider,
Bolivar V. Meade,
George L. Weyler,
John F. Donelson,
Oliver L. Wolfard,
Thomas S. McCloy,
Lucien B. Green, 2d,
James H. Taylor, and
Frederick L. Riefkohl.

Boatswain John Evans to be a chief boatswain in the Navy from the 9th day of January, 1915.

The following-named gunners to be chief gunners in the Navy from the 15th day of February, 1918:

William Eberlin,
Thomas J. Bristol, and
William Taylor.

Pay Clerk Herbert H. Lowry to be a chief pay clerk in the Navy from the 15th day of March, 1918.

Pay Clerk Lester A. Dyckman to be chief pay clerk in the Navy from the 16th day of March, 1918.

Lieut. Thomas E. Van Metre to be a lieutenant commander in the Navy, for temporary service, from the 24th day of April, 1918.

Ensign John Evans to be a lieutenant (junior grade) in the Navy, for temporary service, from the 1st day of January, 1918.

Chief Boatswain John Evans to be an ensign in the Navy, for temporary service, from the 1st day of July, 1917.

Carpenter Frank A. Saar to be an ensign in the Navy, for temporary service, from the 15th day of May, 1918.

Acting Pay Clerk Wiley B. Jones to be an ensign in the Navy, for temporary service, from the 15th day of May, 1918.

The following-named temporary warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of May, 1918:

Charles H. Phillips,
Claude Farmer,
Abraham M. Rosenberg,
Harry B. Luessen,
Eldridge L. Lineberry,
Harry A. Wentworth,
William F. Verleger,
Walter E. Hewitt,
Robert L. Bryan,

Gottlieb Grosch, and

Walter M. McCarthy.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of May, 1918:

Ralph J. Pyatt,
Alfred E. Green,
Rodney B. Starr,
William Wakefield,
Thomas H. Esott,
Timothy Brown,
John C. Bauman, jr., and
Harley E. Barrows.

Ensign Francis S. Page, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of May, 1918.

The following-named citizens to be acting chaplains in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 24th day of April, 1918:

Earl W. Foster, a citizen of Kentucky, and
Alfred de G. Vogler, a citizen of New York.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 20 (legislative day of May 17), 1918.

APPOINTMENT IN THE NATIONAL ARMY.

MEDICAL CORPS.

Col. Robert E. Noble to be brigadier general.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

INFANTRY.

Second Lieut. William F. Stromeyer to be first lieutenant.

APPOINTMENTS IN THE ARMY.

DENTAL CORPS.

To be first lieutenants.

John Rudolph Wikeen, and
Richard Carlton Hoblitzell.

POSTMASTERS.

CALIFORNIA.

George M. Kemble, Alturas.
Stella L. Vincent, Carmel.

CONNECTICUT.

Louis E. Chaffee, Stafford Springs.

INDIANA.

Otto O. Griffin, Carthage.

IOWA.

Ida M. Truesdell, Ringsted.
Mae K. Honzelka, Van Horn.

MASSACHUSETTS.

Molly A. Gilman, Allerton.

MONTANA.

Victor N. Weber, Deer Lodge.
Rudolph P. Petersen, Rudyard.

NORTH CAROLINA.

Mal H. Jones, Rutherfordton.

NORTH DAKOTA.

Lena L. Diehl, Dunn Center.

OHIO.

Edward F. Laner, Prospect.

TEXAS.

Hecton N. McKellar, Pecos.

HOUSE OF REPRESENTATIVES.

Monday, May 20, 1918.

The House met at 12 o'clock noon.

Rev. John R. Carpenter, of Markesan, Wis., offered the following prayer:

Our Father who art in heaven, we hallow Thy name, because Thou art Love.

We thank Thee for the light of another new day here upon earth. May we live this day aright. Whenever duty calls us, wilt Thou give us a clearer vision and the strength of character to accomplish that duty.

We thank Thee for our beloved Nation. Every day and every hour we pray for our success in everything that is true and right.

Bless the President of the United States and all who are holding responsible positions. Help us all in our various duties

in life, to do that which will result in the greatest good to the greatest number.

Be with those who are on battle fields far away. May Thy "everlasting arms" be about them, to protect, to defend, and to save, that they may be victorious in this great struggle for the betterment of mankind.

These and all blessings we ask in the name of Jesus our Savior. Amen.

THE JOURNAL.

The Journal of the proceedings of Saturday, May 18, 1918, was read.

The SPEAKER. Without objection, the Journal as read will be approved.

Mr. STAFFORD. Mr. Speaker, reserving the right to object to the approval of the Journal, I wish to direct the Speaker's attention to the record of the proceedings as stated in the Journal, so far as the motion of the gentleman from Illinois [Mr. MADDEN] is concerned, relating to the Senate amendment to the Post Office appropriation bill numbered 52. As the Journal states it, the motion was that the House agree to the Senate amendment with an amendment. The original motion, as borne out by the record of the proceedings, was to instruct the House conferees to insist on the following amendment, by striking out a certain part of it. This motion was limited to that certain part. If the Journal is approved as it is now recorded, the conferees on the part of the House will be barred entirely from entering upon the consideration in the conference of the rest of amendment numbered 52. I have in the last minute conferred with the chairman of the Committee on the Post Office and Post Roads [Mr. MOON], and he advises me that it was not his intention to agree to the Senate amendment numbered 52, but wished all the rest of the Senate amendment, other than that part which related to letter carriers, postal clerks, and railway mail clerks, to be in conference. The Speaker will remember that the gentleman from Tennessee [Mr. MOON] moved to disagree to all of the Senate amendments. That motion was agreed to. Then, after the House had voted to disagree to all of the Senate amendments, the gentleman from Illinois [Mr. MADDEN] rose and moved to have the conferees instructed as to a certain portion of one of those amendments. It was within his province at that time to move to instruct; but it was not within the province of any Member of the House, after the House had by vote disagreed to all of the Senate amendments, to immediately move to agree to one of those amendments with an amendment. In order to get to the voting stage on all the amendments, back to that position where the House could vote to agree to any one of them, it would have been necessary to move a reconsideration. It was perfectly compatible with the House proceedings, after the House had disagreed to all the Senate amendments, for the gentleman from Illinois to move to instruct the conferees, but it was not within his province to move to agree to any of them with an amendment. I had made a point of order, but when I found from the statement of the gentleman from Illinois that his motion was not to agree to the Senate amendment with an amendment but was a motion to instruct the conferees as to one of the amendments, I did not insist upon the point of order for that additional reason. I am making this suggestion so that the conferees will not be in a confused position when they get into conference. If the Journal stands as it is submitted to the House, when the conferees would get into conference the Senate conferees would say that the only question in conference, so far as Senate amendment No. 52 is concerned, is that part which relates to letter carriers, post-office clerks, and railway mail clerks; but I am assured by the gentleman from Tennessee [Mr. MOON] that he wants all the rest of the Senate amendment in conference, so that he can determine what should be the policy of the conferees and the policy of the House so far as voting \$200 per year increase to all of the postal employees other than letter carriers, postal clerks, and railway mail clerks. I would not at this time submit this matter to the attention of the House were it not that I have the statement of the gentleman from Tennessee that he wishes to have in conference all of the remaining part of amendment No. 52, the part other than that which relates to railway mail clerks, post-office clerks, and letter carriers.

Mr. WALSH. Will the gentleman yield?

Mr. STAFFORD. I will yield.

Mr. WALSH. Of course, the gentleman is aware that the gentleman from Illinois, who made this motion, stated that he wanted all of Senate amendment No. 52 retained except what he moved to strike out.

Mr. STAFFORD. I am not aware of that.

Mr. WALSH. If the gentleman will refer to page 6743 of the Record he will find—

Mr. STAFFORD. What part?

Mr. WALSH. First column, toward the bottom of the column, where I said:

The gentleman refers to the Senate amendment No. 52?

Mr. MADDEN. That is it.

Mr. WALSH. There is part of that amendment which he desires retained, is there not?

Mr. MADDEN. Yes; I want all retained except what I have just asked should be stricken out.

Now, of course it makes no difference whatever what the distinguished chairman of the Committee on the Post Office and Post Roads may desire; it is the desire of the gentleman who offered the motion to strike out to instruct the conferees; and he made that motion upon suggestion from me incorporating the language that the conferees should be instructed to agree to the Senate amendment with an amendment which is—

Mr. STAFFORD. Oh, Mr. Speaker, I remember distinctly, and the Record will show, that the gentleman from Illinois in the debate stated that he only wished to have the conferees instructed, so far as railway mail clerks, postal clerks, and letter carriers were concerned. He was not insisting on agreeing to the rest of the Senate amendment. In the debate during the pendency of the point of order, if he had stated that his motion was to agree to the Senate amendment 52 with an amendment, then I would have argued the question, and the Chair would necessarily have been obliged to hold that after the House had voted to disagree to all Senate amendments that it was then too late to move to concur in a Senate amendment with an amendment.

Mr. WALSH. The gentleman did make that point, but did not argue it.

Mr. BANKHEAD. Mr. Speaker, what is the parliamentary situation?

The SPEAKER. The parliamentary situation is that the Speaker announced that without objection the Journal would be approved, whereupon the gentleman from Wisconsin reserved the right to object to agreeing to the Journal. Now he is expounding the reasons why he objected. That is the parliamentary situation.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. STAFFORD. I will.

Mr. DOWELL. Is it not correct that the Senate adopted the House bill except the amendment the gentleman from Illinois suggested to add to that amendment—

Mr. STAFFORD. It is not. The House bill contained no provision whatsoever for increase of the salaries of supervisory officials, and the Senate amendment is an entirely different proposition. Now, Mr. Speaker, I will read what the gentleman from Massachusetts said in this discussion. I read from page 6743. Here is what the gentleman said then:

Mr. WALSH. The gentleman refers to the Senate amendment No. 52?

Mr. MADDEN. That is it.

Mr. WALSH. There is part of that amendment which he desires retained, is there not?

Mr. MADDEN. Yes; I want all retained except what I have just asked should be stricken out.

Mr. WALSH. Of course, the gentleman desires to agree to the Senate amendment No. 52 with an amendment?

Mr. MADDEN. I wish to be certain of the retention of the classification feature of the bill H. R. 9414 as passed by the House.

Mr. WALSH. That should be the instruction.

Mr. MADDEN. I want to do whatever will accomplish the purpose.

Now, going through the Record there is no reference to the motion of the gentleman from Illinois [Mr. MADDEN] other than the formal motion submitted by him and read by the Clerk. Now, on page 6742 this occurs:

Mr. WALSH. Mr. Speaker, the gentleman from Illinois in making his motion, I think, was in error in moving to instruct the conferees to strike out. It seems to me the proper thing is to move to concur in the Senate amendment with an amendment.

Mr. MADDEN. That is all right.

The SPEAKER. The gentleman from Illinois has the right to make a motion to instruct the conferees. What he may put in his instructions is another matter. What point does the gentleman from Massachusetts make?

Mr. WALSH. My suggestion was that the gentleman from Illinois moves to instruct the conferees to strike out of the bill certain language and insert other language. Of course, the bill is in conference. This is a House provision, and there is a Senate amendment. It seems to me that the motion for instruction should be to agree to the Senate amendment with an amendment.

The SPEAKER. That is one way of getting at it.

Mr. MOON. Oh, the gentleman is mistaken in this, that there is no House provision.

Mr. WALSH. Is there not a House provision to which was an amendment?

Mr. MOON. No; the gentleman is speaking of the provision that was in House bill 9414.

The SPEAKER. Where is the gentleman reading?

Mr. STAFFORD. That is in the beginning of the discussion immediately following the offering of the motion by the gentleman from Illinois [Mr. MADDEN], first column, page 6742. The Speaker will remember that the gentleman from Illinois [Mr.

CANNON], before the motion was put, entered into discussion as to whether after a disagreement it was proper at the very beginning of the conference to instruct the conferees, so I think that it was the purpose of the House to move to instruct the conferees to insist on the Madden amendment to the Senate amendment No. 52 and disagree otherwise as to the entire amendment, and that the Journal should so state.

Mr. WALSH. Will the gentleman yield further?

Mr. STAFFORD. I now yield to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, if the Speaker will allow me, I think I can clear this thing up. I think I stated in the discussion which took place that there was no difference between the House and the Senate in respect to rural carriers, laborers, chauffeurs, and other employees of the Post Office Department; that the only difference which existed was in the matter of clerks in first and second class offices, carriers in the City Delivery Service, and railway mail clerks.

And what I wanted to do—and whether I did it or not I do not know—was to provide instructions to the conferees to insist upon the retention of the classification provided in the bill H. R. 9414 in the consideration of the question in conference, leaving the other items inserted in the appropriation bill by the Senate open to such conference as might be thought proper.

Mr. STAFFORD. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. STAFFORD. The gentleman wished to have in disagreement between the two Houses the increase of salary allowance of supervisory officials and all other post-office officials which are carried in the Senate amendment, but which were not embodied in the original Moon-Madden bill?

Mr. MADDEN. What I wanted to do, I will say frankly, was to provide instructions to the conferees to insist upon the insertion of the provisions of the bill H. R. 9414 as those provisions related to clerks in first and second class offices, carriers in City Delivery Service, and railway mail clerks.

Mr. WALSH. Mr. Speaker, in response to a parliamentary inquiry on Saturday, propounded by the gentleman from Michigan [Mr. MAPES], which inquiry was as follows:

Will this motion instruct the conferees to agree to the balance of amendment 52 except this language which is stricken out and with the insertion?—

The Speaker replied:

The Chair thinks so.

Now, that is found on page 6745, at the bottom of the left-hand column, when the debate had been about concluded. The gentleman from Michigan [Mr. MAPES] rose to ask as to the motion and as to its effect, and the Chair's understanding of it was in conformity with the understanding that prevailed during the colloquy and the discussion of the motion of the gentleman from Illinois, namely, that all he wanted to do was to strike out certain language and insert the classification plan which had been approved by this House in a former bill, and in reply to a question by me he stated that he wished the rest of the Senate amendment 52 retained. And I submit that his motion to agree to Senate amendment 52 with an amendment was in effect a disagreement, and it was not in conflict with the previous action of the House by unanimous consent disagreeing to the Senate amendment. I submit that the Journal as read states the action taken by the House and sets forth the effect of it as understood by both the Speaker and the gentleman from Illinois [Mr. MADDEN].

Mr. SAUNDERS of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAUNDERS of Virginia. What does the Journal actually show in this connection?

The SPEAKER. The Journal shows this, that Mr. MADDEN moved that the conferees be instructed to agree to Senate amendment No. 52 with the following amendment, and then recites the amendment.

Mr. SAUNDERS of Virginia. Now, Mr. Speaker, as I gathered the attitude of the gentleman from Wisconsin [Mr. STAFFORD], from his statement, it was to the effect that the House, having disagreed to the Senate amendments, it was therefore not competent for this body to instruct the conference committee to do a certain thing which, in substance, would amount to an agreement in part, of the matter in dispute.

Mr. STAFFORD. The gentleman misunderstands my position. That is the very point I am arguing, namely, that the Journal should state just what the gentleman from Illinois attempted to do, which was to instruct the conferees as to matters relating to letter carriers, post-office clerks, and railway-mail clerks.

Mr. SAUNDERS of Virginia. The gentleman's contention was that having in general disagreed, the House could not promptly turn around and agree?

Mr. STAFFORD. If the gentleman will permit, my contention is that the gentleman who moved to disagree to the amendment, the gentleman from Tennessee [Mr. MOON], wished to have a disagreement to that portion of the Senate amendment which related to supervisory officials, post-office inspectors, and everybody else, and also that which related to city letter carriers, post-office clerks, and railway-mail clerks.

Mr. SAUNDERS of Virginia. Mr. Speaker, I merely wish to say in this connection that the proposition that having disagreed to the Senate amendments, we are unable to instruct the conference committee to take any action which in substance would be an agreement pro tanto, can not be sound, for the following reason, that the instructions of the House to a conference committee are not the equivalent of an agreement by the House to the matter to which the instructions relate. I think the gentleman has in mind the principle that when the House inserts matter it can not turn about and strike out the same matter or strike out matter which it has inserted. But that principle does not apply for the reason given.

The SPEAKER. The gentleman is entirely correct.

Mr. SAUNDERS of Virginia. In spite of the instructions the conference committee may disagree to matter to which the instructions commit it to agree, and vice versa. Hence instructions to a committee to agree to an amendment can not be regarded as the formal agreement of the House to that amendment—and that being so, the logic of the gentleman from Wisconsin [Mr. STAFFORD] fails.

The SPEAKER. The situation was this, and the thing that attracted the attention of the Chair was that during a long service here he had never seen the matter transacted in the way the gentleman from Illinois [Mr. MADDEN] was trying to do. The gentleman from Massachusetts [Mr. WALSH] made a suggestion, with which the Chair agreed, that the effect of the Madden motion was really to agree to the Senate amendment No. 52 with an amendment. And that has been done repeatedly; and the suggestion of the gentleman from Virginia [Mr. SAUNDERS] is entirely correct. Now, even if the idea of the gentleman from Wisconsin [Mr. STAFFORD] was correct that the House, having just disagreed to all these Senate amendments, could not do the thing the gentleman from Illinois [Mr. MADDEN] was trying to do, he never made any such point in his argument, and it was rather an elaborate one, about the Madden motion, but he confined his objections to an entirely different thing. The Chair has read this thing over a half dozen times, and it seems to me that the effect of the Madden motion was simply to agree to Senate amendment No. 52 with an amendment which was embraced in his instructions. That is not an agreement to Senate amendment No. 52, and the Chair thinks that it has been journalized correctly. And the Journal as read will be adopted, without objection.

Mr. MOON. Mr. Speaker, we can not make a decision without a statement of the exact facts.

Now, there was at no time a motion by the gentleman from Illinois [Mr. MADDEN] to agree to the whole of Senate amendment No. 52 or to any part of it. The House had disagreed to the whole of it. Now, his proposition was not to agree to any part of it but to strike out a part of it, which, in effect, was an amendment to that extent only, and applicable to that part only—to strike out a certain part of it and insert other matter. It occurred to me that that does not have the legal effect of an agreement to the part of the matter that had been disagreed to heretofore, but simply applies to that particular portion of amendment No. 52 which Mr. Madden desired to correct by striking out and leaving the balance of the amendment disagreed to.

Inasmuch as there was no motion made at all to agree to any part of Senate amendment No. 52, it seems to me that the Journal of this House, in order to show the intent and purpose of the mover of that motion, and evidently the opinion of the House when it was passed, ought to show that the House insisted upon the amendment that Mr. MADDEN proposed, but maintained its disagreement as to the balance of Senate amendment No. 52.

It comes to us in a different shape from legislation usually. There was no provision in the original bill as it left the House on this question at all. It comes back now to us with an original Senate amendment. We disagreed to that amendment; want a certain portion of the amendment, or all of it, stricken out and new matter inserted. We expressed an opinion only as to a part of that amendment, which we desired removed and something substituted in its place.

Now, it occurs to me that the legal effect of that is not to affirmatively approve of the other part of that amendment. We

are taking action simply on the part referred to by Mr. MADDEN in his amendment, and we leave the balance of it disagreed to.

Mr. STAFFORD. Mr. Speaker, affirming the position of the gentleman from Tennessee, may I be privileged to read to the Speaker and to the House, in confirmation of that position, just what took place after all these matters heretofore referred to and before the vote was taken? In the discussion between the gentleman from Illinois [Mr. CANNON] and the gentleman from Tennessee [Mr. MOON], the gentleman from Tennessee made this statement, which will be found on page 6745 at the bottom of the second column. I read:

Mr. CANNON. The House would accede to the request of the Senate and agree to the conference. That would be the ordinary course of procedure. Of course, the House might at any time instruct its conferees. What was the amendment of the gentleman from Illinois [Mr. MADDEN]?

Mr. MOON. As I understand the amendment proposed by the gentleman from Illinois [Mr. MADDEN], it was to amend the Senate amendment by inserting the provisions on this question that was passed in H. R. 9414, the legislative bill on that proposition, which is a change of the existing law on the subject of classification.

Mr. CANNON. That would be perfectly proper, the Senate having proposed the legislation, to agree to the Senate amendment with an amendment.

Mr. MOON. Yes.

Mr. CANNON. Is that the motion?

Mr. MOON. Yes.

Mr. CANNON. Then, it does not involve any instructions at all. Of course, you could instruct, but ordinarily it is not done. Later on, if the House was willing—

Mr. MOON. I suggest to the gentleman from Illinois that simply to agree to a Senate amendment with an amendment, without stating what that amendment was, would give no information to the conferees.

Mr. CANNON. You propose to put in that amendment?

Mr. MOON. Yes.

Mr. MADDEN. When that goes in, that is all the gentleman from Illinois [Mr. MADDEN] asks for.

Mr. CANNON. It is the difference between agreeing with an amendment and instructing the conferees. I think the House has very rarely instructed its conferees in the first instance. I suppose it has the power to do it, but it is out of the ordinary course, and would not amount to anything more than to pursue the ordinary course, in my judgment, in the event that the Senate would not agree.

Now, here is the potential part of this discussion:

Mr. MOON. I think the idea probably was that it carries with it a suggestion from the House as to what the legislation ought to be on a subject on which the House has not legislated in this bill.

Mr. CANNON. But you can do that by concurring in the Senate amendment with an amendment.

Mr. MOON. I understand.

Mr. STAFFORD. If the gentleman will yield, the House has already disagreed to the Senate amendments.

Mr. CANNON. Very well.

Mr. MOON. This is a motion, after a disagreement to the Senate amendments, to instruct the conferees as to what action they shall take as to this particular amendment.

That is the last expression of the gentleman as to what he wished on this subject.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BLACK. The gentleman from Tennessee was not making the motion. I suggest that.

Mr. MADDEN. If the gentleman will permit me, I want to state that it certainly was not my intention to accept the Senate provisions of the salary legislation with an amendment. My sole intention was to strike out certain language in that part of the Senate amendment which provided for a \$200 per annum increase in the compensation of the clerks in first and second class offices, the carriers in City Delivery Service, and the railway mail clerks, and to substitute for the language stricken out the language pertaining to that particular phase of the salary legislation embodied in the classification features of House bill 9414.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WALSH. What did the gentleman mean, then, when he stated, in reply to a question, that he wanted Senate amendment 52 retained except what he had just asked to be stricken out?

Mr. MADDEN. What I mean was that I had personally no objection to language employed by the Senate as to the other features of the legislation, but I seriously objected to the language employed by the Senate as to that feature of the legislation which dealt with the clerks and carriers and railway mail clerks.

The SPEAKER. The Chair thinks the easiest way to settle this matter is to defer the adoption of Saturday's Journal, and let the gentleman from Tennessee [Mr. MOON] and the gentleman from Illinois [Mr. MADDEN] and the gentleman from Wisconsin [Mr. STAFFORD] retire to some quiet place and see if they can put that proposition in such shape that it will not get the House conferees into a tangle over in the Senate. I will ask that that be done. The Clerk will read Sunday's Journal.

The Journal of the proceeding of Sunday, May 19, 1918, was read and approved.

THE LATE REPRESENTATIVE WILLIAM A. JONES.

Mr. MONTAGUE. Mr. Speaker, some days since the House agreed to have the memorial exercises in relation to the late Representative JONES on next Sunday, May 26. Owing to the inability of several Members to participate in these exercises on this date and awaiting the memorial proceedings, official and semiofficial, from the Philippine Islands, I ask unanimous consent that that order be vacated. Subsequently I will ask that another date be fixed.

The SPEAKER. The gentleman from Virginia asks unanimous consent to vacate the order for memorial services on May 26 for the late Representative JONES of Virginia. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. NICHOLS of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a speech delivered by my colleague [Mr. JAMES] at a patriotic meeting on April 21 last.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the Record by inserting a speech made by his colleague [Mr. JAMES] on a patriotic subject. Is there objection?

There was no objection.

SOLDIERS' VOTE.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

Mr. GARRETT of Tennessee. On what subject?

Mr. ROGERS. I want to refer again to the matter of the soldiers voting.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts to address the House for three minutes?

There was no objection.

Mr. ROGERS. Mr. Speaker, I think the House and the country have been a good deal mystified by the divergent and irreconcilable reports issued from the various branches of the War Department with reference to the policy to be pursued this fall by the War Department on the subject of the soldiers voting in France.

In the first place, the Acting Secretary of War gave to the Commonwealth of Massachusetts last month, while Secretary Baker was still in Europe, a long written opinion in which it was laid down as a positive rule that the taking of the soldiers' votes in France would not be tolerated by the department. In letters signed by The Adjutant General, addressed to me and to one of the Senators, which I printed in the CONGRESSIONAL RECORD a few days ago, practically the same thing was stated. Since then Mr. Baker has returned from France where, presumably, he looked into the whole matter and considered the feasibility of taking the overseas soldiers' votes. He has within a few hours given out a statement concerning the matter, which I think will be of interest to the House and which I ask to have read in my time.

The Clerk read as follows:

STATEMENT OF THE SECRETARY OF WAR.

MAY 18, 1918.

The question of having the soldiers vote is a difficult one, but everybody is anxious to have it done if possible.

You know with the soldiers in this country we made a rule that wherever a State had provided the machinery for taking the vote of the soldiers we would help all we could to facilitate the operation of that machinery. The War Department obviously can not take the responsibility of taking, collecting, and returning the votes. If it is possible for us to work out a plan by which we can facilitate the States doing it through their own agencies, agencies of their own creation, we would be very happy to do it.

If States provide machinery which is practicable and can be worked we will do our utmost to enable them to work it. If some plans are practicable and some impracticable we will not punish those who are practicable because of the impracticability of others.

If it is possible to work out a plan it will apply to the American Expeditionary Force.

Mr. ROGERS. Now, Mr. Speaker, if I may be permitted to express an opinion, I think the statement represents precisely the view which the War Department ought properly to adopt and which it apparently has now definitely decided to adopt. In the first place, military considerations must come first. In the second place, subject only to these military considerations, everything will be done to permit the soldiers in France to vote this fall. The statement makes it clear—what must be clear under the Constitution—that it is up to the States themselves; but that the War Department will cooperate in every way with the States in order to make possible the voting in France. Six or eight, possibly ten States have already submitted plans for soldiers voting in France. Massachusetts is one that has been working very hard on the question; Mississippi is another, as the

gentleman from Mississippi [Mr. HARRISON] discussed fully the other day; others are North Carolina, New Jersey, Connecticut, Kansas, and Nebraska. The War Department officials have told me this morning that they regard the Mississippi plan as entirely practicable, because it does not overburden the War Department officials in this country or in France. So it is squarely before the several States to decide what to do on this important matter. It rests with each to determine whether or not its over-seas citizen soldiers shall be disfranchised.

The SPEAKER. The time of the gentleman has expired.

CONTRIBUTION BY NATIONAL BANKS TO THE RED CROSS.

Mr. GARRETT of Tennessee. Mr. Speaker, may I suggest that it might be well for Members to understand that there is a special order for 5 o'clock this afternoon. There was a special order made Saturday whereby the gentleman from Virginia [Mr. GLASS] would be recognized to move a suspension of the rules for the purpose of passing a bill authorizing national banks to contribute to the Red Cross.

EXTENSION OF REMARKS.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of a bill which I introduced to-day to punish those who are guilty of mob violence in attempting to execute the laws of the United States. I want to have the short bill printed with some remarks of my own.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record.

Mr. GARRETT of Tennessee. Is it simply a bill which the gentleman wants to print?

Mr. MASON. A short bill, and my remarks in support of it, which bill goes to the Judiciary Committee.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record and to incorporate the bill in his remarks. Is there objection?

There was no objection.

Mr. FESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. Frequently within the last two weeks, and perhaps longer, there have been reports in the form of speeches of what has been said in the Senate by Senators, always complimentary, nothing critical except in a friendly way, as to the value or merit of a particular bill. My inquiry is whether it is in order for a Member to quote anything, favorable or unfavorable, that a Senator has said on the floor of the Senate.

The SPEAKER. It is not. It is liable to provoke crimination and recrimination on the floor of the House, and also to get up crimination and recrimination between the House and the Senate.

FOOD PRODUCTION.

The SPEAKER. The unfinished business is the bill H. R. 11945, relating to food production, and the House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The gentleman from Mississippi [Mr. CANDLER] has 37 minutes remaining, and the gentleman from Iowa [Mr. HAUGEN] has 45 minutes remaining.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, in respect to the time yet at the disposal of the gentleman from Iowa, on Saturday afternoon the gentleman from Mississippi asked how the time stood, and the Chair replied at that time that the gentleman from Iowa had still 67 minutes at his disposal. In the absence of the gentleman from Iowa, I yielded 10 minutes to the gentleman from Indiana [Mr. FAIRFIELD] and later extended his time two minutes. I then yielded five minutes to the gentleman from New Jersey [Mr. HUTCHINSON], and that was all the time used on this side out of the 67 minutes, with the exception of one minute by the gentleman from Minnesota [Mr. VOLSTEAD]. That makes 18 minutes of time that was consumed out of the 67 minutes.

The CHAIRMAN. The Chair, of course, is merely stating what the memorandum of the Clerk shows. He has two other items of time which the gentleman from Michigan has not referred to.

Mr. McLAUGHLIN of Michigan. The gentleman from Indiana [Mr. FAIRFIELD] was yielded 10 minutes and 1 minute, and the gentleman from New Jersey [Mr. HUTCHINSON] was yielded 5 minutes and the gentleman from Minnesota 1 minute. If they consumed more time, it was up to the Chair, and it should not be taken out of our time.

The CHAIRMAN. Of course not. The gentleman will get all the time he is entitled to. If the Chair's recollection is of any value, it is that the gentleman from Indiana [Mr. FAIRFIELD] had 2 minutes yielded him in addition to the 10.

Mr. McLAUGHLIN of Michigan. I think the gentleman asked for two and I yielded one.

Mr. CANDLER of Mississippi. Mr. Chairman, according to the gentleman's statement there is a difference of only 2 minutes, and according to him he is entitled to 50 minutes. Why not make it 50 minutes?

The CHAIRMAN. That is what it will be. The gentleman from Michigan is entitled to 50 minutes and the gentleman from Mississippi to 37 minutes.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, in the absence of the gentleman from Iowa [Mr. HAUGEN], I yield 10 minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Chairman, I appreciate very much the courtesy of being extended this privilege on this first Red Cross day, and I will show my appreciation by being as brief as I can. Let me say that the Red Cross bill that is coming up later to-day for the amendment of the national-banking act is a war measure and is a very important bill. Its purpose is to permit national banks to contribute to the Red Cross. I thought at one time that by consent of all of the stockholders of a bank it might make contributions to the Red Cross for war purposes, but something more is required. The depositors are interested in the security and management of the bank. We can not under the law by action of the board of directors or even with the consent of the stockholders themselves contribute this money. There is one other suggestion I wish to make in reference to that bill, and that is I hope there will be an amendment offered to it by which national banks may be permitted to contribute to the war Y. M. C. A., which is a counterpart, a running mate with the Red Cross.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. CANNON. If national banks, through directors not representing in many instances much stock, can contribute, what is to become of State banks that have gone into the Federal Reserve System? They are not authorized to contribute, and have we authority to authorize them to contribute? Have we authority to take the small holders who happen to be directors and permit them to dispose of the property of the big holders, or have we the right to permit the big holders to dispose of the property of the small holders, and then after that is done have a drive upon them as citizens in their particular localities to contribute to the Red Cross? Take the New York banks, for example. Their stock is distributed all over the country. The directors contribute personally. If you have any New York bank stock, do you want them to dispose of your property?

Mr. CANDLER of Mississippi. Mr. Chairman, I regret very much to call the attention of the gentleman from Michigan to the fact that the rule under which we are operating confines the discussion to the bill. I did not want to interrupt, but I have been advised that if I permit anyone to depart from the rule that a point of no quorum will be made and I shall be compelled to wait 45 minutes.

Mr. SMITH of Michigan. Permit me to answer the question of the gentleman from Illinois [Mr. CANNON] by saying that Congress has nothing to do with State banks. In reference to this bill, it is an act to provide further for the national security and defense by promoting agriculture and by stimulating the distribution of agricultural products. And, it being a war measure, and all our legislation and the life and very existence of our Nation being at stake, makes the welfare of our Army and Navy always in order, and especially the Red Cross.

The CHAIRMAN. The gentleman will proceed in order with reference to the pending bill.

Mr. SMITH of Michigan. I think I am in order when talking about the national security and the national defense which is contained in the title of the bill.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan be permitted to discuss the bill to which he has referred, the Red Cross bill.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that his colleague may be permitted to discuss the Red Cross bill. Is there objection?

Mr. WALSH. Mr. Speaker, the Red Cross bill will come up later in the day. This bill was brought up under a special rule as to debate on the merits of this measure. Now, I have no objection, of course, to the gentleman discussing the Red Cross bill at the proper time, but if it is injected into the discussion

upon this bill some of us gentlemen who are waiting to be advised of the merits of this proposition will not be advised. I do not think we ought to try to discuss the two measures under a special rule confining debate to one measure.

Mr. SMITH of Michigan. I do not think there will be any opportunity of saying anything on the Red Cross bill when it comes up to-day, and I only want now to say that I think it is an important bill and ought to be allowed, but amended. That is all I care to say as to that.

If I may now be permitted, I wish to say something about food and fuel. Fuel is just as important to win the war as food, and it is just as bad to freeze to death as to starve to death. There is not much difference. A part of this money is to be used in the production of coal, or can be so used. We are told that mining coal is a mere matter of transportation. Dr. Garfield says that. Trains can be run almost continually upon all of the railroads. We have the trackage. It is a matter of trains, of hiring of men to dig the coal, putting it on the cars, and transportation. It is a question of having the coal mined, the cars, the engines, and the men to run them. It is a matter of cost, a matter of price. And we ought to begin to-day to get coal for next winter. We are advised that now is the time to order our coal. But when we order it we can not get it. A gentleman told me Saturday he had ordered his coal two months ago and he has not got it yet. He is told that the coal yard has not the coal. Coal dealers should fill up their coal yards and do it now.

I wish to speak about the food provisions of the bill. We were told when we were discussing the Agricultural bill a short time ago that the minimum price of wheat should be fixed at \$2.20 a bushel.

The farmers are all urged now to raise more wheat. They are offered the inducement of \$2.20 per bushel. Whether this is sufficient or not remains a question. The farmers are patriotic, and I am sure they would raise the wheat at a loss if necessary in order to support our armies and to feed our people during war time. From the list of States following there can not be much profit to the farmer in raising wheat at \$2.20 per bushel. These figures are taken from the Agricultural Yearbook, prepared by the Agricultural Department of the Government for the year 1916, on page 575:

Yield of wheat crop, 1916.

	Bushels per acre.
Indiana	12
Illinois	11
Minnesota	7.4
Missouri	8.5
North Dakota	5.5
South Dakota	6.8
Kansas	12
Kentucky	9
North Carolina	10.5
South Carolina	10.6
Georgia	11.4
Tennessee	9.2
Alabama	9.5
Texas	11
Oklahoma	9.7
Arkansas	8
Average	10.13
Delaware	15
Virginia	12.5
West Virginia	14.5
Ohio	13.5
Iowa	15.8
Mississippi	15
Kansas	11
Average	13.9

Average yield per acre for whole United States.

[From Agricultural Yearbook, 1916, p. 67.]

1866 to 1875	11.9
1907 to 1916	14.7

The following I take as a fair average cost of raising an acre of wheat in Michigan. Of course, the cost will be slightly less than these figures where the soil is light and sandy or a tractor can be used. It will cost slightly more where the ground is rough or heavy and where a walking plow is used:

Cost per acre to produce wheat.

Plowing	\$3.00
Rolling	1.00
Dragging	1.50
Fertilizer	3.00
Seed	4.00
Twine and cutting	2.00
Drawing in and stacking	1.00
Thrashing and help	2.00
Marketing	1.00
Interest on land and tools	5.00

Making a total cost of \$24 per acre.

In making this estimate I might add that some seed wheat in the fall of 1917 cost as high as \$3.80 per bushel and rye as high as \$3 per bushel, while the price of fertilizer is estimated at \$30 a ton.

There was only one State in the United States—Arizona—that produced an average yield of 29 bushels per acre, and that State raised only 1,600,000 bushels. The next highest yield was by Nevada, being 28.9 bushels, which raised only 1,593,000 bushels. Maine raised next highest, average yield of 27 bushels, which raised only 135,000 bushels.

All the other States were below those figures, and the total average for the United States in 1916 was only 12.1 bushels.

The yield for the year of 1917 I have not at hand, but it was slightly more than for the year 1916.

The estimate for the present year, 1918, in Michigan is around 57 per cent of an average crop, which may be increased by fair weather and conditions.

The estimate of the Agricultural Department for the whole United States for the year 1918 is 572,539,000 bushels of winter wheat, which, together with the planting of spring wheat, may bring the yield of both winter and spring wheat up to the 1,000,000,000-bushel mark. If so, this will be a bumper wheat crop for America. I included nothing in the above cost per acre for the wear and tear or use of tools.

Mr. BRITTEN. What is the total?

Mr. SMITH of Michigan. The total cost is \$24 an acre.

Now, as to live stock, it takes a bushel of corn to put 5 pounds of meat on a grade steer. It will put 8 pounds on a hog and produce 5 pounds of mutton fed to a sheep or lamb. Corn costs \$1.25 to \$1.50 a bushel. Divide the cost of a bushel of corn by 5 and you get what it costs the farmer to fatten sheep and cattle. Talk about price fixing! I say the price of wheat should have been fixed at \$2.50 a bushel, and I do not know how the President fixed it at \$2.20. I do not know how the House fixes it at \$2.20. I can see how the Senate fixed it at \$2.50. The farmer is entitled to what it costs him and a fair, reasonable profit for his labor. Some have stated that \$2.50 would make flour cost \$18 a barrel and increase the cost of bread. Bread to-day costs the consumer practically the same price with wheat at \$2.20 per bushel as it did in May, 1917, when wheat sold at \$3.40 a bushel. I leave it to any man in the House if it is not as high to-day, or higher, with wheat at \$2.20 than it was a year ago when wheat was \$3.40 a bushel on the Chicago and St. Louis markets.

Mr. PLATT. Will the gentleman yield?

Mr. SMITH of Michigan. I will.

Mr. PLATT. Has the gentleman seen any bread with wheat in it in the last six months?

Mr. SMITH of Michigan. I hope not.

Mr. PLATT. I have not.

Mr. SMITH of Michigan. The American people ought not to eat a loaf of bread until we lick the king of tyranny, the lord of barbarity, the outrager of virtue, and the murderer of innocent women and children. Think of a command to murder four children out of a family of five, so that the mother would advocate, beg, and pray for peace! Talk about peace now, as I have seen in some speeches made—

Mr. REED. Will the gentleman yield for a question?

Mr. SMITH of Michigan. I will.

Mr. REED. Is it not a fact that the administration claims that is the minimum price of wheat, that there is no maximum price?

Mr. SMITH of Michigan. The minimum price in this case is the maximum; it is the same thing. I have heard—it was stated here by some Member; I do not remember who it was—that if wheat was \$2.50 a bushel, flour would be \$18 a barrel. It takes 4½ bushels of wheat to make a barrel of flour in an up-to-date mill, and any mill can make a barrel of flour out of 5 bushels of wheat. There is not a mill in the United States but what will be glad to grind those 5 bushels for the middlings and the by-products, in which case the barrel of flour would cost \$12.50 with wheat at \$2.50 a bushel.

Mr. WALSH. Does the gentleman know whether the farmers had any representative on the board or committee that assisted in arriving at the minimum price for wheat?

Mr. SMITH of Michigan. I do not know of any, and I looked to see who was on that committee, but could not find it; but, anyhow, whether they were on or whether they were off—

Mr. WALSH. I was informed they had no representative.

Mr. SMITH of Michigan. I would think that they had not.

Gentlemen, we want and must have wheat, and now is the time to prepare for putting in the fall crop of 1918. Planting time is only a little more than 90 days off.

Mr. HUTCHINSON. I want to say that there were farmers on the committee that fixed the price at \$2.20.

Mr. SMITH of Michigan. They did not fix it high enough, according to the record.

Mr. McLAUGHLIN of Michigan. There were farmers on that board, but their wishes were utterly ignored in the matter of fixing the price of wheat.

The CHAIRMAN. The time of the gentleman has expired. Mr. LEE of Georgia. Mr. Chairman, I yield further time to the gentleman.

Mr. SMITH of Michigan. I am pleased to have the statement of my colleague [Mr. McLAUGHLIN of Michigan], and I thank the gentleman from Georgia [Mr. LEE] for yielding me more time.

Mr. FESS. Will the gentleman yield?

Mr. SMITH of Michigan. I will.

Mr. FESS. We hear it constantly stated that the price was the minimum. Is it not true that if the Government becomes the buyer of an article that there is no competition later and the minimum price must be the maximum?

Mr. SMITH of Michigan. I am very glad the gentleman asked me that question. That is a well-established fact. The Government now buys wool. No one else is buying wool. The price was fixed at the same price for which it sold on the 25th of April, 1917, but it is only purchased on Government account and when the Government wants it. If the farmer tried to sell his beans, the local buyers were not taking in beans, and also they were not buying hay, because they could not get the cars to load it in.

So I say these things about farming. I will put the figures in the Record. I shall approximate them, because some lands work easier than other lands and you can put in a crop for less. But I am talking about my own State, which is surely an average State for agriculture. And I would say to the gentleman from Ohio [Mr. FESS] that I think he is right in that the minimum price is the maximum price, when the Government fixes it, in all things.

Mr. FESS. Whenever the Government becomes the purchaser of an article the maximum will be in unison with the minimum.

Mr. SMITH of Michigan. Yes.

And I am glad to see that this bill is reported as a war measure, because we can not whip Germany unless we have food. That is plain enough. Some put the limitation of an army at 5,000,000, some say 8,000,000, and some say we should remove the lid. I want to tell you now what I think about that. We are fighting the whole German nation. We are fighting 75,000,000 people, and I do not know whether or not we have fully comprehended it. But whether our Army is 1,000,000 or 2,000,000 or 5,000,000 men, every one of us here at home should do all we can to aid and support the Army and raise all the food we can to supply food and munitions to win this war. Until it is won we should not talk peace. We should talk about war.

Mr. McKENZIE. Will the gentleman yield?

Mr. SMITH of Michigan. In just a second. We should talk about war because we are engaged in it, and there can be no lasting peace without victory. When you see the peace cards put down on the table, look and see whether or not Belgium is to be restored; whether or not bleeding France is to be indemnified; and, above all, whether or not there is going to be any more wars and that there will be a lasting peace. We are fighting now for the welfare, safety, and the very existence of our Nation.

Mr. McKENZIE. I take it the gentleman has studied this bill, and although I do not suppose he will have time enough, if he does I would like to have him point out to me just any one way that this bill that we are now discussing will increase the output of the farms for this year and help us win this war.

Mr. SMITH of Michigan. I will be very glad to do that right now. I have read the bill quite carefully, also the report, and would say that in September, 1918, we will put out our wheat crop. In Michigan the average wheat crop this year is estimated at about 9 bushels an acre, according to the reports; and it will take \$24 an acre, my friends, to put that wheat out, harvest it, and put it on the market. If you can see how a man can get his money back when receiving \$2.05 a bushel—and that is what the farmer gets, although they talk \$2.20—I would like to know it. Of course the miller pays more; possibly \$2.50. But now is the time to prepare for the next year's crop. The Thirty Years' War, the Napoleonic War of 10 years duration, and the Seven Years' War were all long ones. Let us prepare for a long, hard war; then if the end comes sooner we will all rejoice, but if not we will be ready to do our best. We will be fighting next year; we will be fighting, maybe, for 10 years. The Seven Years' War was successfully fought by Prussia with a population of 5,000,000 against an allied population of 100,000,000. We are a nation of 100,000,000 people and with our allies we are going to win this war. I am for coordinating every allied nation; I am for getting all the nations who have declared war against Germany together now. Let us get in all we can of South America as we have all of North America. Let us go down and see if we can not get Mexico in some way to come in.

Let us take in Japan, let us take in China, and every South American Republic, and let us lick Germany decisively and have no more wars. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STEPHENS of Mississippi. Mr. Chairman, I shall support this measure, as I have supported every measure that appeared to me to be for the best interest of the Nation and that would help to further the interest of our country in this great conflict in which we are now engaged.

My colleague, Mr. CANDLER, has been a member of the Committee on Agriculture for a number of years. Knowing how great an interest he always displays in regard to everything affecting the agricultural interests of the country, and having seen such frequent evidence of the wide information on such subjects, and having such confidence in his judgment and integrity, I would feel justified in supporting this bill simply because it is reported by him and has his indorsement.

Having read the bill and given it some thought, my conclusion is that we should follow his lead on this matter and give it hearty support.

This is an act "to promote further the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

As I recall the debate, there have been only two or three criticisms of the measure. The gentleman from Iowa [Mr. TOWNER] had a lot to say about the form of the bill. He says there are duplications, that many of the items in this bill are covered by similar items in the regular Agricultural appropriation bill.

That is true. But that is not a proper subject for criticism. Where the same item appears in both bills it is not provided twice for the same work. It is an extension of the work. It is no criticism of the committee to say that it did not make as full provision on many subjects in the regular bill as is proposed now. We are living now in abnormal times. New conditions are confronting us. Each rising sun brings with it new problems. Our vision is broadening. We realize that there must be expansion and extension along a great many lines, and it is the effort and intention of the committee in bringing out this bill to meet conditions as they exist at present and to anticipate the future as best it may.

Mr. QUIN. Will my colleague yield?

Mr. STEPHENS of Mississippi. Certainly.

Mr. QUIN. Six of the vital provisions of this measure, which are supplemental to the other bill, are worth more than any other legislation that Congress ever brought up, are they not?

Mr. STEPHENS of Mississippi. I agree that they are all matters of great importance even in normal times, and I believe that they may well be considered as matters of almost vital importance in the present circumstances.

Mr. QUIN. The Market Bureau has a large sum provided for, and there is a live-stock provision that is very valuable.

Mr. STEPHENS of Mississippi. All those items are very important and very necessary. The Bureau of Markets, to which the gentleman refers, is exceedingly important. The distribution of agricultural products is a matter of great moment, both to the producer and the consumer.

Mr. QUIN. All the great American food products are cared for in this measure, are they not?

Mr. STEPHENS of Mississippi. Yes. I desire to commend the committee for being able to so thoroughly grasp the situation and to discern the present condition of the country in this regard.

As I was saying when interrupted, the gentleman from Iowa criticized the form of the bill. It is not "form" but substance in which we should be interested. We should inquire: Does it meet the conditions? Will it help to advance the interests of the Nation in this conflict? Will it stimulate agriculture as it is designed to do? Will it facilitate the distribution of agricultural products? Is the legislation necessary for the prosecution of the war?

If these questions are answered in the affirmative, then there should be no quibbling about matters of form.

All realize, as the gentleman from Michigan [Mr. SMITH] stated a moment ago, that the production of food is a very important and necessary work at this time. A great army of men, a strong naval force, large guns, an immense fleet of aircraft, and all those things that go to make up a fighting force will avail nothing unless there is a supply of foodstuff.

Mr. QUIN. I know how ardent a friend the gentleman has always been in behalf of the farmers. It will aid the farmers, too, will it not?

Mr. STEPHENS of Mississippi. Indeed it will. There is no question about that.

Some gentlemen criticized the committee because the bill simply appropriated lump sums. Why, gentlemen, should we stop to quibble over a little matter of that kind? We have practically placed the entire power of the Nation into the hands of one man. We have said: "Here are the resources of the country, take them and use them as you deem best." Time after time, since the war began, we have appropriated many millions of money in lump sums to the various departments.

In this time of crisis it is proper to do this. We trust the honor, the integrity, and the judgment not only of the President but of the various men at the head of these great departments. The right to exercise their discretion in many matters should not be hampered. We have granted this right frequently, and there is no good reason for refusing it to the Secretary of Agriculture, who will undoubtedly expend this money in an effort to stimulate agriculture, help the farmer, and benefit the entire Nation.

This is a war measure. My friends, we are all of one mind, I am sure. The gentleman from North Carolina [Mr. POU] said in this House only a few days ago:

Mr. Speaker, there were differences among us in the beginning of this war. But there is one proposition about which there is no division in this Chamber. Germany may as well understand that America will never submit to a peace dictated by Berlin. Americans know now, if they have not realized heretofore, that free America can not survive if Germany wins. I do not believe that there is a man in this Chamber who would hesitate to give all he has if it shall become necessary to give all in order to win.

He was stating the truth when he credited the membership with patriotic impulses and an earnest desire to see victory crown our efforts in this conflict. [Applause.]

There have been, of course, differences of opinion as to methods of procedure—some have preferred one plan and some another—but on the one great question of winning the war there has been no disagreement. The success of our country, the preservation of our institutions, the honor of our flag, are of interest to all alike, and all have been prompted to action by those things.

Because a man differs from me as to how to win the war does not mean that he is any less patriotic than I am or any more so. Dr. Frank Crane, a noted American writer, recently said:

Be patriotic but not hysterical. Don't accuse all who do not agree with you of being pro-German.

He is right. This is not a time for hysteria. What we want is cool, steady, earnest action. We are opposed by a cruel, determined enemy. All our intellect and energy must be used to the very best advantage. Nothing should be allowed to weaken the full force of our powers. We should hit hard and direct our blows well, so that they may have the desired effect.

Mr. Chairman, I do not doubt now—indeed, I have never doubted—the loyalty and patriotism of the American people. Naturally there was deep sorrow and regret that war came upon us. On April 2, 1917, when President Wilson addressed Congress in regard to a declaration of war, his countenance was grave, his appearance indicated how deeply he regretted that war should come to the Nation, and he said that he was performing "a distressing and oppressive duty."

To suffer physically and mentally; to sacrifice fond desires and cherished ambitions; to endure hardships and privation is, to use the language of the President, "a distressing and oppressive duty," but it is a duty and one that will be performed well and nobly by our people.

There is too much at stake to do otherwise. That we shall become the serfs of German government, to be ruled by the Kaiser, is too horrible a thought to be indulged in. Better, far better, to be blotted out as a race and a Nation and become only a name and a memory in the history of the world.

"Woe to the conquered" has always been the motto of the Prussian. Rapine, murder, and pillage blacken the annals of every campaign. Bloodthirstiness and lust and a mania for destruction are Prussian characteristics. They have written a record of infamy that can never be blotted out. Every humane heart in the wide world has been made to bleed by their atrocities and barbarism.

In the public forum, the pulpit, and the schoolroom the most pernicious, the foulest, doctrines have been announced. The people of that country have been taught most horrible precepts. They have been taught the "law of the jungle," of the lion and the tiger and the wolf; that might makes right; that war alone can bring true honor and glory; that "man is stunted by peaceful days"; that the Germans are the chosen people of God and that nothing, no matter how frightful or hideous or ghastly, should prevent them from overrunning the entire world.

One of them said:

Ye have heard men say, "Blessed are the peacemakers"; but I say unto you, "Blessed are the war makers," for they shall be called, if not the children of Jahve, the children of Odin, who is greater than Jahve.

Neitzsche, one of their greatest writers, said:

Life is essentially the appropriation, the injury, the subduing of the alien and weak. It is suppression, compulsion, the enforcing of its own forms. It is assimilation and, at the least and gentlest, exploitation.

The weak and crippled should go to the wall; that is the first principle of our philanthropy.

Do I counsel you to love your neighbor? Nay, I counsel you rather to shun your neighbor and to love those farthest away.

This great teacher of his people said, in discussing the doctrine of Jesus Christ enjoining brotherly love:

Believe me, my brethren, He died too early; He himself would have revoked His doctrine had He reached mine age—about 38 years.

They have been taught to harden themselves, so far as other people are concerned, against feelings of brotherhood, of compassion, of mercy and charity, and that war is necessary and normal, and that peace is a disease that insidiously saps the life of a nation, robbing it of honor, strength, and beauty.

They look upon the whole world as theirs to take if they desire it. Less than one year ago one of their statesmen said:

The whole history of the world is neither more nor less than a preparation for the time when it shall please God to allow the affairs of the universe to be in German hands.

Bismarck contemptuously referred to the United States as "a big, fat hog that we will stick some day." Germany has always objected to the Monroe doctrine and has felt aggrieved at us for it. During the Spanish-American War the Kaiser expressed himself as regretting that his Navy was not large enough to enable him to "take the United States by the scruff of the neck."

Mr. Chairman, it is unnecessary to multiply citations to prove the character of our enemy nor to show his feeling toward and his designs upon us. Hundreds of instances might be given.

We have been taught to love peace and abhor war. We regret deeply that our Nation is at war; but being in it, there is only one thing to do—give a good account of ourselves in it, with a firm and steady purpose that never while there is a man left to fight nor a dollar left to spend shall this cruel, barbarous enemy be able to say that our Nation has been conquered.

My sympathies from the very beginning of this war have been with the allies. The invasion of Belgium, the raping of women, the mutilation of children, the murder of old men, the horrible orgy of frightfulness inaugurated in the very beginning of the war prevented me from having the slightest feeling of sympathy with Germany.

Of course, since our entrance into the war every true American citizen, no matter on what side his sympathies may have been prior to that time, is wholeheartedly on the side of his country now. Every time the true American sees the Nation's flag he sees not merely a piece of cloth waving in the breeze, but he sees behind it his family and friends, his country's honor, and all that country can mean to a patriotic, liberty-loving man.

Mr. Chairman, I have here a tribute to the flag that is worthy of a place in the RECORD:

A TOAST TO THE FLAG.

Here's to the Red of it—
There's not a thread of it,
No; nor a shred of it,
In all the spread of it,
From foot to head,
But heroes bled for it,
Faced steel and lead for it,
Precious blood shed for it,
Bathing it red.

Here's to the White of it—
Thrilled by the sight of it,
Who knows the right of it
But feels the might of it
Through day and night?
Womanhood's care for it
Made manhood dare for it;
Purity's prayer for it
Kept it so white.

Here's to the Blue of it—
Heavenly view of it,
Star-spangled hue of it,
Honesty's hue of it,
Constant and true.
Here's to the whole of it,
Stars, stripes, and pole of it;
Here's to the soul of it—
Red, White, and Blue.

—New Britain (Conn.) Herald.

In defense of that flag which symbolizes to us all life and liberty, home and country, honor and civilization, we will defend ourselves. Every true man will do his duty. All the responsibility does not rest upon the soldiers. Those in civil life must do their part. Not only must they pay taxes, buy

bonds, subscribe to the Red Cross, but each one, man, woman, and child, has the duty of extending his cooperation toward putting in force the full power of the United States in its fight against Germany.

Let us do all the work that we can; let us pray that peace may come; let us make peace come by using every energy, every power, every resource in the Nation that will contribute to bring us victory. The war will be won. The greater the effort we put forth now, the sooner will be the end. Let us hasten the day of peace and victory by giving everything that is needed now. And let us hope that, at the end of this war, there shall come a more perfect peace, a firmer happiness, and a more splendid civilization than the world, in all its history, has ever known. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. WALDOW].

The CHAIRMAN (Mr. HARRISON of Virginia). The gentleman from New York is recognized for five minutes.

Mr. WALDOW. Mr. Chairman and gentlemen, I am in favor of this bill, although I voted against the adoption of the rule to bring it in, believing that three hours' time was not sufficient to enable the Members to discuss it.

I desire to make a few observations relative to the Food Administrator and some of the rules and regulations the people of the country are now subject to. These observations are made with a spirit of friendliness toward our Food Administrator, Mr. Hoover, and I hope some good may result therefrom. I understand that at the present time the people of this country are consuming but 35 per cent of our normal consumption of wheat flour, and I do not hesitate to submit the opinion that without regulations wheat flour would be selling to-day at three times its present price, and I know that the people of this country are ready to sacrifice and are willing to assist in the saving of all foods so as to enable us to assist in supplying our allies and our armies now fighting in France.

I submit, however, that if it is necessary for the people of the United States to continue to use substitutes and to continue to conserve our supply of wheat flour a better method than the one now in vogue would be to ration wheat to each person and then allow them to purchase other substitutes if they desire, and the kind of substitutes they desire. The present method compels the purchaser of a sack of flour to purchase many packages of substitutes, some of which he is unable to use, and in consequence the money paid for the substitutes and the substitutes themselves are wasted.

I notice in one of the local papers that the Food Administrator informed the retailers that they must sell cereals from 10 to 20 per cent less than wheat flour, but the compulsory purchasing of these cereals have made such a heavy demand upon the stock of the retailers that most of them cost the consumer a greater amount than wheat flour, and in many cases the consumer finds it impossible to secure the desired cereals he can use and is forced to purchase foodstuffs that are of no value to him. I have in mind a grocer's bill that a friend of mine submitted to me several weeks ago. He desired to purchase a sack of flour that cost \$1.65. In order to do so he was compelled to purchase the following:

1 sack of flour	\$1.65
6 packages puffed corn	.90
6 packages puffed wheat	.90
3 packages puffed rice	.60
4 packages cornstarch	.48
4 packages oatmeal	.60
5 pounds corn meal	.35

Making a total purchase of \$5.58. This man is working for a daily wage of \$2.70, and he was forced to labor two days in order to secure enough money to buy a small sack of flour.

It seems to me that if this man and his family were allowed to purchase a sack of flour once a week or once a month, whatever his ration might be, and then permit him to use the balance of his money to purchase whatever edibles he desires, he would be undergoing less hardship and thousands of packages of cereals that are now being wasted would be conserved, and that, of course, would have a tendency to automatically lower the price of cereals.

I have had considerable complaint from the people I represent, as my district is in close proximity to Canada, and I have been informed upon numerous occasions that the residents of Canada have little difficulty in securing flour and sugar, and there is no compulsion by the food administrator of Canada for the purchase of substitutes when purchasing flour, and I understand they have little or no trouble in securing sugar in large quantities, while the people in my district are compelled to purchase it 1 pound at a time and very often are unable to secure even that small amount. If we intend to continue the conservation of wheat and sugar and other foods,

I believe it will be necessary for a coordination in the activities of the Food Administrator of the United States and the food administrator of the Dominion of Canada.

I sincerely hope that Mr. Hoover will make some effort to create conditions more equal than those now existing in certain parts of the Dominion of Canada and the United States. The civilian population of both of these countries, I believe, are willing to assist in the conservation of all foods so as to enable our armies to have not only an abundance of food but the very best that can be obtained. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BAER. Mr. Chairman, will the gentleman yield for a question?

Mr. McLAUGHLIN of Michigan. I yield one additional minute to the gentleman.

Mr. BAER. Can the gentleman explain why England and Ireland have got flour for \$8 a barrel, made of American wheat, and over here we pay \$14 and \$15 a barrel for it?

Mr. WALDOW. I have just suggested that a closer coordination of the activities of the two food administrators might help the condition, but I do not know the reason for it.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield 10 minutes to myself.

Mr. HUTCHINSON. Mr. Chairman, I make a point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New Jersey makes the point of order that there is no quorum present. Evidently there is not a quorum present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Fairchild, G. W.	Keating	Rankin
Beshlin	Farr	Keohoe	Riordan
Brodbeck	Flood	Kelley, Mich.	Robbins
Butler	Flynn	Kelly, Pa.	Roberts
Campbell, Kans.	Focht	Kennedy, R. I.	Robinson
Campbell, Pa.	Foster	Kettner	Rose
Carew	Fuller, Ill.	Key, Ohio	Rowe
Carlin	Gandy	Kless, Pa.	Rowland
Carter, Mass.	Gard	Kitchin	Rucker
Chandler, N. Y.	Garland	Kreider	Sabath
Clark, Fla.	Godwin, N. C.	LaGuardia	Sanders, La.
Clark, Pa.	Gould	Langley	Sanford
Classon	Graham, Ill.	Lesher	Scott, Pa.
Cleary	Graham, Pa.	Little	Scully
Copley	Gray, Ala.	Lufkin	Sears
Costello	Gray, N. J.	McFadden	Sells
Crago	Griest	McKeown	Slomp
Crosser	Griffin	McKinley	Sloan
Currie, Mich.	Hamill	McLaughlin, Pa.	Smith, T. F.
Curry, Cal.	Hamilton, Mich.	Maher	Snell
Dale, N. Y.	Haskell	Mann	Snook
Darrow	Hayes	Mason	Snyder
Davis	Heaton	Miller, Minn.	Steele
Dempsey	Heflin	Miller, Wash.	Steele
Dent	Helntz	Moore, Pa.	Steenerson
Dewalt	Hicks	Morin	Stephens, Nebr.
Dies	Hilliard	Nolan	Sterling, Pa.
Dill	Hood	Olney	Strong
Dillon	Houston	Paige	Sullivan
Donovan	Howard	Parker, N. Y.	Swift
Dooling	Humphreys	Porter	Tague
Doremus	Husted	Powers	Templeton
Drukner	Jacoway	Price	Tilson
Dunn	James	Ragsdale	Vare
Edmonds	Johnson, S. Dak.	Rainey, H. T.	Watson, Pa.
Ellsworth	Johnson, Wash.	Ramsey	Webb
Estepinal	Kahn		Wilson, Tex.
Fairchild, B. L.	Kearns		Winslow

The committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee, having under consideration the bill H. R. 11945, finding itself without a quorum, he had caused the roll to be called under the rule and 278 Members answered to their names, and he presented a list of the absentees.

The committee resumed its sitting.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I am opposed to this bill in its present form, and opposed to many of its features in any form, particularly opposed to the very large sums which some of these items carry, put into the bill and attempted to be put through the House under the guise of a war measure.

I am a member of the committee that reported the bill, and the committee gave very careful consideration to it. A minority of the members urged very strongly the elimination of some of the provisions and a reduction of many of the amounts. There was some success attending their effort, but the bill as reported carries objectionable features and some amounts that are very much too high. I said an attempt is made to put the bill through the House under the guise of a war measure, and of that I have no doubt, nor has any member of the committee, although I should, I presume, speak only for my-

self and others who oppose the bill in its present form and as to sums that we think are extravagant.

Many of the departments of the Government are getting large amounts of money, large beyond comprehension, to be used in preparing for and carrying on the war, granted by Congress without question. Other departments, and the Department of Agriculture is one of them, seeing large sums of money appropriated for and made available for use of other departments, are asking large appropriations for themselves. Some of the bureaus in the Department of Agriculture, seeing other bureaus getting large sums of money, some of them properly, are demanding large sums and large increases for themselves. Of that there can be no doubt. Some of the work that is provided for in this bill is important and necessary work. Much of it, however, is provided for in the regular appropriation bill, and the appropriation of larger amounts is unnecessary and improper and a wasteful use of money. I am, and during my entire service have been, much interested in the work of the Department of Agriculture, and have favored liberal appropriations, and at this time there are certain lines of work that must be extended and improved; but appropriations ought not to be extravagant simply because the Congress during the war is dealing in large sums of money and is making previously unheard-of appropriations. On the contrary, that is reason for economy and retrenchment when economy can be properly exercised.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. GREEN of Iowa. I notice that the appropriations contained in this bill are largely lump sums.

Mr. McLAUGHLIN of Michigan. I wish to speak of that later; that is one of the things I shall speak of if I have time.

Mr. GREEN of Iowa. We do not know from the bill what the money is going to be spent for.

Mr. McLAUGHLIN of Michigan. Some of this work is going to be done by bureaus largely as extension of their regular work, and as to some of their work, while the heads of these bureaus were before our committee and talking about their work, how it was done, why it was not extended—I mean during normal times—the reply was that it could not be extended for lack of men, on account of the difficulty of finding suitable men, but now, upon their insistent demand, the majority of the committee, as appears by this bill, proposes to provide immense sums of money for the employment of additional men and for the extension of the work of these bureaus two, three, four, five, and as high as seven times over normal years.

An examination of the bill and comparison with former bills will prove what I say to be true.

The Department of Agriculture is employing a large number of young men who are of draft age and subject to military service. The records of the department show that already the Secretary of Agriculture has certified more than 2,000 of these young men for deferred classification under the draft law. I shall at the proper time offer an amendment, which, if agreed to, will not permit employment of men of draft age or will make it impossible to certify men employed under this law for deferred classification. I might go on and particularize, Mr. Chairman, and point out the different provisions of the bill where men are asked for, and money for salaries and expenses are asked for extension of work that was carried on to the limit before the war began, carried on to the limit because of the difficulty of getting trained, suitable men to do the work. But my time is limited and I shall speak of the feature of the bill referred to by the gentleman from Iowa [Mr. GREEN].

Mr. LONGWORTH. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. LONGWORTH. I understood the gentleman to say that there was a substantial number of the committee who were opposed to the bill as it stands. There is no minority report, is there?

Mr. McLAUGHLIN of Michigan. No minority report.

Mr. LONGWORTH. I observe that the majority report contains these words:

After very careful consideration of all the various items, the bill herewith presented represents the judgment of the committee as to the provision that should be made for the emergency activities of the department during the next fiscal year.

Will the members of the committee who agree with the gentleman offer amendments as the items are reached reducing the amounts?

Mr. McLAUGHLIN of Michigan. Yes; some amendments will be offered.

Mr. LONGWORTH. So that the statement in the report then is misleading, in fact, as to the committee being united.

Mr. McLAUGHLIN of Michigan. The report is accurate to the extent that it represents the action of the committee, a ma-

jority of the committee. Of course, it says nothing about the strenuous fight that was made, the most vigorous fight I know of being made in the Committee on Agriculture during the last 12 years.

Mr. CANDLER of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. CANDLER of Mississippi. I will say to the gentleman that the bill was reported—

Mr. McLAUGHLIN of Michigan. The gentleman will pardon me, but I do not like to yield for a statement. I thought he wished to ask a question. The gentleman has plenty of time at his disposal.

Mr. GILLET. In addition to what the gentleman from Ohio [Mr. LONGWORTH] says, would it not be impossible on the floor to offer amendments segregating these lump sums? You could not do that very well on the floor.

Mr. McLAUGHLIN of Michigan. I think amendments can be made segregating them.

Mr. LONGWORTH. If the gentleman will pardon me again, the only reason I ask the question is that it seems to me if such a vigorous fight had been made and there was such objection to certain features of the bill, it was due to the House that it be made acquainted with some of these questions before the bill came up for consideration.

Mr. McLAUGHLIN of Michigan. Perhaps that is true. Perhaps the minority of the committee should have made a report; but of course no one, none of the minority at least, had any idea that the bill would be presented in this form. We thought it would be itemized, as bills usually are, and as this House has always insistently demanded appropriation bills shall be itemized. These are lump sums, gathered together a lot of items, and it is hard to tell how they are gathered together to make the total carried in the items in the bill.

Mr. CANDLER of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. CANDLER of Mississippi. Was not the bill reported upon the motion of the gentleman from Missouri, Mr. RUBEY? He moved that the bill be favorably reported, and that it be reported in the form in which the food-production act was reported before, and this is in identically that form, and that motion was unanimously carried. There was not a vote against it at the time in committee.

Mr. McLAUGHLIN of Michigan. In reply to the gentleman, I will say that I was not present at the very last meeting, the meeting at which that action was taken. If it was taken, as the gentleman states, as I presume, of course, it was, the committee at its last meeting had reached a part of the bill where it seemed there was not much opportunity for reduction and others who had opposed it, just as I had, were tired of objecting without prospect of eliminating improper features or of reducing extravagant sums.

Mr. LONGWORTH. Do I understand the gentleman to say that he had no idea that the bill would be presented in this form?

Mr. McLAUGHLIN of Michigan. I had no idea it would be presented in this form.

Mr. LONGWORTH. Because in this form it is impossible for a Member of the House who has not been through the hearings to get any idea of how the items are made up.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, of course this bill is going to pass. I have no doubt about that, but it ought not to pass. It ought to be defeated. There is no necessity for the legislation. It will not accomplish anything except add 11,000 additional men to the pay roll. What they will have to do after they get on the pay roll I do not know, but I am beginning to get pretty tired of appropriating millions of dollars in lump sums to add more men to the pay roll, without any specific duties to perform, and it is about time we were saying so. Of course, those who are going to have the men placed on the pay roll are enthusiastic for the legislation. It is proposed, or pretended to be proposed, to increase crops, to add to the output on the farms. Last year was the worst farm-crop year we have had in many years. If the present indications are followed to a logical conclusion, we will have the largest farm crop this year that we have ever had in the United States, and after we have supplied our own needs and the needs of the allies, we will have over 200,000,000 bushels of wheat that we will not know what to do with, for which we have no storage facilities. They are proposing now to build storage warehouses to take care of the surplus wheat that it is anticipated will be

on the market in a very short time. There are over 200,000,000 bushels of wheat in Australia on the ground that is being rotted and eaten by rats, for lack of transportation facilities. It is not long since that the Agricultural Department or the Hoover department wanted to build warehouses to take care of potatoes in order that we might have potatoes to feed to the people when the time came, and men who had common sense told them that the only way to take care of potatoes was to let the farmer do it, to put them into storage on the farm, under the ground, and feed them out to the people as they were needed. But that is not what these men do who are at the heads of these departments. They do not use their heads, they use the Treasury of the United States. How much more convenient it is to have a lot of money in the Treasury of the United States where these fellows can shove their arms up to their elbows, than it is to exert the brains they are supposed to have when they are appointed to these important places. There is a greater crop of wheat growing to-day than we have ever had in the United States. The estimated return for the wheat crop this year is over 900,000,000 bushels. Last year it was less than 600,000,000 bushels, about 550,000,000 bushels. The Agricultural Department estimated 680,000,000 bushels. When a friend of mine who happens to know what crops are in the country was asked how much stock he took in the Government's crop reports, he said they were not worth the paper they are written on, that they overestimate and underestimate and do not estimate at all, but make figures, without respect to whether there is any definite justification for them or not. So, in order that we may have plenty of men to make figures, which they want to make, they add \$6,000,000 to this bill to hire new men to go throughout the country to demonstrate the best methods of raising crops.

Why, the best method of raising of crops is through the tilling of the soil by the ordinary average farmer, who knows more about it than anybody else and who will continue to raise crops as long as he can get a price for the products which he raises. All you have got to do is to show him that there is something in it for him, he will do the rest. [Applause.] You do not have to hire some shoemaker or corn doctor to go on a farm and demonstrate to a farmer the need for raising crops, he knows how to do that himself. How can you get these men with all this agricultural intelligence this bill proposes—

Mr. MONDELL. Will the gentleman yield?

Mr. MADDEN. In a moment—for \$6,100,000? You will probably take men who ought to be in the Army. These men are going to be taken out of the Army, made slackers—

Mr. DENISON. Will my colleague yield?

Mr. MADDEN. In a moment—in order to have a peaceful and easy job at a safe distance away from the guns and on the Government pay roll to instruct people who are already full of knowledge of how best to raise crops. Why, it is ridiculous. I yield to my colleague.

Mr. DENISON. Does not my colleague think there ought to be a provision in here that men employed by this act ought not to be put in the deferred classification?

Mr. MADDEN. There ought not to be any man put on this pay roll who is subject to Army service. There ought to be nobody put on who has no experience, either collegiate or otherwise, in agricultural matters.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MADDEN. I will yield.

Mr. LONGWORTH. Did I understand the gentleman to say item 4, carrying \$6,100,000, was only for increases of salaries?

Mr. MADDEN. Why, it is only for increased places; I do not know whether they increase salaries or not, but they just add new places, I take it, with this money. What else is it for?

Mr. LONGWORTH. Simply additional places?

Mr. MADDEN. What else could it be for?

Mr. LONGWORTH. I do not know.

Mr. MADDEN. Every time anybody under Mr. Hoover gets authority to increase his activities, of course, the Agricultural Department wants to duplicate that. They want to increase theirs just like in the Army and Navy; if you increase the rank of a man in the Army, the man of the same rank in the Navy wants to have his rank increased. So with other departments of the Government they are competing with each other and seeing how much money they can take out of the Treasury and how much they can load as an additional burden on the backs of the taxpayers.

Oh, this is a beautiful record you are making; it will come back to plague you one of these days. But we are in war, and they say this is a war measure and an emergency measure. Yes; I suppose they do need a few more places for which there is an emergency for which otherwise no emergency exists. Why, here you are trying to compete with the Secretary of Labor.

The Secretary of Labor was authorized to establish employment agencies in order that we might get labor for the farms. He has established those employment agencies. He was authorized to send men to the farms and pay their railroad fares. Now, what do we find? We find the Secretary of Agriculture wants to do that job, too. Which one of these men will do it? Will either of them do it, or will there be such a conflict of authority that neither will do it? What men can they get for the farm that will amount to anything? You can not put a dude on the farm and make him know anything about farming. You can not take a fellow off the street who is a loafer and send him to the farm and make him worth anything to the farmer. These bills do not accomplish anything in connection with increasing farm products, except if you call it accomplishing something when you are farming the Treasury of the United States. You are developing a good crop of expenses, and you are not afraid to sow the seed which will yield new jobs to the faithful.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. GREEN of Iowa. Another emergency my friend forgot to mention is some of the employees want to get out of the draft very badly.

Mr. MADDEN. I said that. I said that the purpose of this legislation is, in a large measure, to take men away from military service and give them nice hiding places away from the thunder of the guns. They do not want to hear the noise or be disturbed by anything but bird notes. They do not want to hear the pelting of shots flying from the guns on the French front. I have all of my blood kindred who are able to fight on the west front in France, and I am proud to say so, and so are they. [Applause.] I do not want any money taken out of the Treasury of the United States for the purpose of protecting slackers in their efforts to keep away from the dangers when the rest of our people are fighting for the honor of America.

Mr. NORTON. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. NORTON. Does the gentleman think the gentleman in charge of the bill would object to an amendment providing that none of this money should be expended for the employment of men within the draft age?

Mr. MADDEN. I do not know whether he would object, but let us try and see.

Mr. MONDELL. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. MONDELL. Does not the gentleman understand it is important we shall have a few Federal employees to aid in making the country safe for Democratic candidates toward the idea of November?

Mr. MADDEN. Of course, it is natural that that should be true, and if you confine it to a few I would not object; but when you make a war emergency the means, an excuse for adding millions of dollars to the payment of loafers who have no knowledge of the duties they are employed to perform, I am opposed to it. [Applause.]

Mr. CANDLER of Mississippi. I yield five minutes to the gentleman from Indiana [Mr. Cox.]

Mr. COX. Mr. Chairman and gentlemen of the committee, I voice practically everything which my friend from Illinois [Mr. MADDEN] says [applause on the Republican side], though I may vote for this bill. [Laughter.] The gentleman from Illinois says he will, too. I am a firm believer in the conservation of food. I think it is one of the essential necessities to our success in this war. I voted for the bill which passed Congress some time last year giving the Secretary of Agriculture power to take a census of the various food products of the United States.

I want to briefly touch upon that proposition at this time. It is within the power of the Government at the end of each month to locate exactly the amount of food commodities there are in the country, upon the farms, in the elevators, in the warehouses, the cold-storage houses, or wherever it may be. We have forty-three thousand and some odd rural-route carriers in this country who reach practically 90 per cent of all the rural districts where food is actually produced. If I recall correctly, we have something like 8,000 star-route carriers in this country performing substantially the same, identical service that a rural-route carrier performs, inasmuch as they reach the farmers and put the farmers' mail in the box.

Now, my ideas may not be sound; they may be illogical; but it has occurred to me time and time again that if the Agricultural Department or the Bureau of Census, working through the Agricultural Department, would prepare a little card and place these cards in the hands of postmasters at the offices where the rural routes originate, and have the route carriers deposit those cards in the farmers' boxes, calling upon the farmer to state how many bushels of wheat, rye, and oats that

he thrashed, and the number of tons of hay and the number of bushels of potatoes and corn that he raised, and how many head of live stock he has upon the farm, that that would be a complete scientific census of the foodstuffs and supplies on hand in this country, and easily available, without any extra cost or charge whatever. [Applause.] And those cards should be frankable, so that the farmer would not be at any trouble or expense in sending them back to the Department of Agriculture.

That would give that department the point of view as to the food produced in the country and the supplies that are actually on hand. It would be able to locate where the food commodities were, and by that means they could easily trace the sum total of the amount of grain or other commodities at the warehouses or storage plants, and so forth. Believing that, I am unable to see why we should spend millions upon millions of dollars in taking a food survey of the country, when we already have the organization, working six days out of every week, and reaching probably 95 or 98 per cent of the men in this country who actually produce food. But for some reason or other—I do not know why—the Agricultural Department has not seen fit to adopt it, unless it be, as the gentleman from Illinois [Mr. MADDEN] said, they desire to make places for a large number of employees, traveling over this country and trying to tell men, men of practical experience, how to farm. [Applause.]

Mr. FESS. Will the gentleman yield?

Mr. COX. For a question.

Mr. FESS. As I remember, the gentleman urged this method of getting this very data when the Agricultural bill was up.

Mr. COX. I did.

We are soon to have a census bill in the midst of this war. I had occasion a few years ago to look up the way other nations took their census. I found that some of the European Governments took their census through their mail facilities. We are about to spend many millions for the purpose of taking a census, when by utilization of the mail facilities we could cut it out and save the money, so much needed, to prosecute the war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. I may vote for this bill, but it will mean the stacking up of jobs here; and that is all it is. In my judgment, it will not produce an extra bushel of wheat or an extra bushel of corn or raise an extra pound of pork. I think the time has come—although I recognize that a man almost takes his political life in his hands to get up on the floor here and say anything against appropriations; we have got to accept it—

Mr. SHERLEY. The gentleman does not have to vote for this bill if he does not wish to do so.

Mr. COX. I know I do not. I will exercise my spirit of independence when my name is called. But I do think the time has come when we ought to cut these appropriations to the very marrow, unless it be an appropriation designed exclusively for the Army or the Navy.

Mr. GREEN of Iowa. Will the gentleman yield there?

Mr. COX. For a question.

Mr. GREEN of Iowa. How can we cut appropriations when they are brought in here in a lump sum, so that we do not know how the money is to be spent or what it is to be used for?

Mr. COX. I do not know about that. We might strike out some of the items.

Mr. HAUGEN. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Fourteen minutes.

Mr. HAUGEN. I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I think it was Madame Roland who, agonized by the excesses of the French Revolution, exclaimed, "O Liberty, what crimes are committed in thy name!" The time is coming, if it is not already here, when every good patriot will feel like exclaiming, "O Slogan of the winning of the war, what useless, senseless, wicked, wasteful extravagances are proposed in thy name!"

This bill has a compelling title: "To provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products." What patriot in these times of stress and war can vote against purposes thus expressed? And yet there is not a man on this floor, in my opinion, who in his heart of hearts believes that all or a large proportion of this \$11,000,000 of appropriation will accomplish beyond question considerable results toward the winning of the war or largely increasing the agricultural

products of the country. We do not know yet, although we would like to know, just what force of motive power is to be developed by the Liberty motor. We hope that it will be all and more than we expect of it, and we hope that it will develop its claimed 400 horsepower under the most trying and difficult circumstances and conditions. But however powerful it may prove to be, as an instrument of propulsion it will not be a circumstance to the compelling power of the \$6,000,000 item contained in this bill. For what? For the purpose of employing busybodies to go around over the country and take the time of busy farmers and farmers' wives and tell them what they ought to do. It is not a far cry to November, and \$6,000,000 will go a long way toward hiring folks to travel hither and yon throughout the country, making the land safe for Democratic candidates. That is to a large extent the compelling force behind this legislation, and it is well that some one should state it plainly.

I am going to vote for this bill if it is trimmed as I hope it will be trimmed, and as it ought to be trimmed, and not because I approve all of its items even as they are likely to be after some trimming, but because there are needed and useful activities provided for in the bill and because, having followed the policy of resolving every doubt in favor of the request of the administration's departments in their request for funds, I deem it my duty after having made every effort to perfect legislation and reduce appropriations clearly unnecessarily large to vote for the legislation and appropriations after getting them in the best form and amount possible. If the items in this bill which provide for agents, inspectors, investigators, and demonstrators are not reduced, and if the items which duplicate the activities of other bureaus are not stricken out on the amendments that will be offered, the fault will not rest on this side and you gentlemen on the Democratic side and the administration must take the blame. I shall vote for the bill in the best form we can get. The Agricultural Department has done good work. It will continue to do good work. But the Agricultural Department does not need any such funds as these in addition to its regular appropriations in order to do all that is necessary and all that can be wisely and properly done to stimulate the agricultural production of the country.

We have reached a point when every department of the Government comes before appropriating committees trying to get their share of the swag of war. That is what it amounts to. One department sees another augmenting its appropriation and extending its activities, and they just hanker, not to do something that is necessary, but to get "their share" of the big appropriations that are made even if they must occupy the same identical field of some other department or bureau. They want to "git" while the "gittin'" is good. We have just completed a hearing in a subcommittee of the Committee on Appropriations where the representatives of the Department of Labor came before us and outlined an organization which has been carefully, completely, and, in my opinion, wisely perfected in that department for the purpose of supplying the industries and the agriculture of the country with labor. No doubt the story of that organization has come to the Department of Agriculture and they want half a million dollars to cover the same ground and for the same purpose.

The Department of Labor has and will have abundant funds for all necessary purposes in securing and distributing labor, including funds to advance where necessary to pay for transportation. They have a fine organization; they can cover the field without confusion or conflict of plan or purpose, but the Agricultural Department can not tolerate the idea of anybody having anything to do with farm labor but themselves.

The county farm agents are doing a fine work. I took occasion to refer to it approvingly quite recently on this floor. There are further activities along this and other lines we are taking up and may well pursue during the war, but the sums carried in this bill for these purposes are scandalous when we think that the taxpayers and bond buyers must furnish the money. It becomes almost criminal—these excessive sums in addition to the large regular appropriations—when we reflect that they are to pay for the personal services of an army of several thousand men who ought to be either on the firing line or engaged in productive enterprises.

These days, when we need farm help as we never did before, is no time to take men from production and possibly exempt them from the draft, as 2,000 of the employees of the Agriculture Department have been, and pay them the money we are supposed to be raising to carry on the war, to gad about, teaching farmers what they already know much better than the majority of these hurriedly selected instructors do. The whole scheme and plan is forced, overdone, and, to a large extent, ridiculous—from the brilliant plan to send patriots seeking

bullet-proof jobs around to tell farmers' wives how to make cottage cheese to the almost inspired announced purpose of sending spies out to locate supplies of spuds. When will the Committee on Agriculture do its duty in protecting the country against Treasury raids of this sort?

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. CANDLER of Mississippi. Mr. Chairman, I yield six minutes to the gentleman from Missouri [Mr. RUBEY].

The CHAIRMAN (Mr. CARAWAY). The gentleman from Missouri is recognized for six minutes.

Mr. RUBEY. Mr. Chairman and gentlemen of the House, it was not my intention to say a word in relation to this bill, but I do not believe that in the seven or nearly eight years in which I have been a Member of this House I have listened to as much misrepresentation as I have listened to within the last 15 or 20 minutes. Gentlemen have gotten up on the floor of this House and talked about this bill and made assertions concerning it that are absolutely incorrect, that are absolutely untrue, and why they do it I do not know, unless it be that they simply do not know any better, that they are not informed as to work of the Department of Agriculture under the provisions of this act.

This identical bill was passed by this very Congress a year ago. We provided for these appropriations for the purpose of stimulating agriculture from one end of this country to the other. That work is being done now. The men have been employed and they are now in the field.

Mr. GILLET. Mr. Chairman, will the gentleman yield?

Mr. RUBEY. No; I can not yield in five minutes. Every one of those men has been employed under the regulations of the civil service, every one of them, and to-day they are in the employment of the Department of Agriculture under civil-service regulations.

The proposition here before us to-day is whether or not we shall continue this same work and permit those men who have been employed under the former bill to continue their work. The appropriations made under that bill expire on the 30th of June. The term of every man who is now in the field, who is now employed in the Department of Agriculture under the provisions of that bill, will expire on the 30th day of June.

This bill is to continue that work. If you thought a year ago that it was an important work to be done, if you passed the bill then and said to the people, "We are going to increase agriculture, we are going to promote agriculture in every line from one end of the country to the other," and if you voted for it then do you want to stop that work or do you want to continue that work?

Much has been said here about these men being exempt from military service. In the Department of Agriculture there are, including the men employed under this act, something like 22,000 men. Before the war began we had between sixteen and seventeen thousand men in the service of the Department of Agriculture. There have now been placed in deferred classes, upon the request of the Secretary of Agriculture, as men especially qualified for agricultural work, about 2,000 men, and no other man in the Department of Agriculture within the limits of 21 to 31 years of age has been in any way exempted from the call to arms.

These men who are now in the field, except those 2,000 that I have mentioned, who are within the age limit, are within the call and are not exempted. And even these men were not exempted; they were simply put in a deferred class. The Secretary of Agriculture puts these men, or rather he recommends that they be put, in a deferred class, and then it is up to the local boards to say, after examining into the conditions surrounding them, whether or not the request of the Secretary of Agriculture shall be granted. It is up to the local boards to determine that question on the recommendation of the Secretary of Agriculture, and they can put them in a deferred class if they want to or they can refuse to put them in a deferred class.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. RUBEY. No; I must decline to yield. I have only six minutes.

Much has been said about the large number of men running around through the country, and about the expenditure of this \$6,000,000 appropriation that we recommend. Some years ago we passed the Smith-Lever bill; I prefer to call it the Lever bill. [Applause.] Practically every man then in this House voted for that bill, to put farm demonstrators at work in all parts of the country. In that bill it was provided that the appropriation be increased year by year until, by and by, we would get enough money, in cooperation with the States, to put a county agent of high character in every county in the Union.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CANDLER of Mississippi. I yield to the gentleman one minute more.

The CHAIRMAN. The gentleman from Missouri is recognized for one minute more.

Mr. RUBEY. When this war broke out we decided that we would not wait for that, but we would put a farm demonstrator in every county in the United States. This \$6,000,000 is to accomplish that purpose, to place a farm demonstrator in every county in the State of Illinois, whence comes the gentleman who spoke a moment ago against this bill. These men are going to be placed in every county in Illinois and in every county in every other State of the Union for farm-demonstration work.

If this bill is so bad as gentlemen have stated who have spoken against it this afternoon, why do they not vote against it? [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HAUGEN. Mr. Chairman, I yield four minutes to the gentleman from Michigan [Mr. McLAUGHLIN].

The CHAIRMAN. The gentleman from Michigan is recognized for four minutes. The gentleman does not seem to be present.

Mr. HAUGEN. He has temporarily stepped out.

Mr. Chairman, I rise simply to call the gentleman's attention to the number of people proposed to be employed outside of the classified service. I desire to say that on page 35 the gentleman will find that 3,707 are suggested in the extension work in the Northern and Western States and 2,110 in the Southern States. Those together would make 5,817 who are outside of the classified service.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. In just a minute. I call the gentleman's attention to the 2,938 county agents, every one of them outside of the classified service. That makes the number 8,755, and yet the gentleman gets up here before this House and says that misrepresentation has been made. There are at least 8,000 of those outside the classified service. I have not had time to go over the list carefully, but I think I can find a thousand or two more. According to the estimates of the department, in all, 11,907 would be employed.

Mr. RUBEY. The gentleman knows how those farm demonstrators are appointed. He knows how they are appointed by the States themselves.

Mr. HAUGEN. They are outside the classified service.

Mr. RUBEY. I understand that, but in those cases they are not appointed by the Secretary of Agriculture. All of those appointed by the Secretary of Agriculture are in the classified service, appointed under the Civil Service Commission.

Mr. HAUGEN. They do not come in under the civil-service examinations by any means.

Mr. RUBEY. Those appointed by the Secretary of Agriculture?

Mr. HAUGEN. Yes; but these are not appointed by the Secretary of Agriculture.

Mr. RUBEY. They are appointed by the State authorities.

Mr. HAUGEN. I am speaking of the number of people outside the classified service.

Mr. CANDLER of Mississippi. Mr. Speaker, is the time exhausted on the other side?

Mr. HAUGEN. I will yield back the balance of my time.

Mr. GREEN of Iowa. Will the gentleman yield to me for a question?

Mr. HAUGEN. I will.

Mr. GREEN of Iowa. Is not there more than one county agent in each county?

Mr. HAUGEN. There are 5,400 of them, about two to a county, and it is proposed to increase the number.

Mr. GREEN of Iowa. Is there any necessity for having two to each county?

Mr. HAUGEN. That is what the bill calls for. For the information of the House, let me give the gentleman the number. The total number estimated is 11,907. Under the same bill a year ago there were 6,280. The total increase over 1918 is 5,627. The total number estimated for 1919 was temporary 690, permanent 11,300. The total number employed in the department is about 20,000, and in the extension and demonstration field service from 5,500 to 6,000 people.

Mr. MONDELL. And none of these people are under the civil service?

Mr. HAUGEN. Not in the extension service or the county agents estimating crops, and there are 8,000 of them.

Mr. MONDELL. Then the gentleman from Missouri was mistaken.

Mr. RUBEY. The gentleman from Missouri was not mistaken; the gentleman from Missouri stated that the men appointed under this bill by the Secretary of Agriculture are under the civil service. These other gentlemen that the gentleman from Iowa is talking about are men in the service appointed by the various States upon their recommendation alone.

Mr. HAUGEN. The majority of the people provided for in this bill are appointed by the Secretary of Agriculture, and every one of them outside of the classified service. Besides there are others appointed without examination as provided for by the civil-service laws.

Mr. CANDLER of Mississippi. Mr. Chairman, how much time is remaining to this side?

The CHAIRMAN. The gentleman has nine minutes remaining.

Mr. CANDLER of Mississippi. Mr. Chairman and gentlemen of the House, I fully agree with the statement made by the gentleman from Missouri [Mr. RUBEY] a moment ago that I have never in my service seen a bill on the floor of this House—and I have been here a longer time than the gentleman from Missouri—that has been so persistently and energetically misrepresented as the bill now before us. The gentlemen who have made these statements evidently have not read the bill and evidently do not know its provisions or they certainly would not make the broadside statements of condemnation which they do make, which are totally at variance with the provisions of the bill or anything authorized in the bill.

The gentleman from Iowa [Mr. HAUGEN] in his speech the other day, which I have read in the RECORD, stated that I admitted on the floor of the House that we provided for 11,000 additional employees outside of the civil service. I did not make that admission; I do not make it now, because that is not in accordance with the information I have and I am sure is incorrect.

Mr. HAUGEN. The gentleman desires to be fair, I know. Will he yield?

Mr. CANDLER of Mississippi. Yes. I not only want to be fair, but I will be fair.

Mr. HAUGEN. I said that practically all of them were outside of the classified service.

Mr. CANDLER of Mississippi. What I am complaining about is the statement in the gentleman's speech that I admitted the proposition, which I did not. The question was asked me by the gentleman from Illinois [Mr. MADDEN], and I disagreed with him. I not only did not admit it, but I denied it at the time and deny it now.

Mr. HAUGEN. The gentleman will admit that there are 8,000 outside the classified service.

Mr. CANDLER of Mississippi. No; I will not. The Lever bill provided for the appointment of many of those men. It passed a number of years ago, practically by unanimous consent on the floor of this House. Nobody objected to it, and it provided for the appointment of these men throughout the country, and it provides the manner in which they shall be appointed and the manner of their appointment is not changed in this bill or any other; they are continued to be appointed under that bill up to the present time.

There are employed in the Department of Agriculture 22,683 people. Of this number 15,679 are employed under the regular appropriations of the agricultural bill. There are 4,508 people employed under the cooperative plan. Under the legislation of Congress, the people employed under the cooperative plan are permitted to be selected by the local communities in which they live. They are selected by the counties, by the municipalities, or by the boards of supervisors, or by the county boards of administration, and they pay a part of their salaries and the Government pays a part and therefore it is impossible for them to be placed under the civil service. In deed and in truth they are not strictly speaking employees of the Department of Agriculture or employees of the Government of the United States, but they are cooperative employees on the part of the Government of the United States and the local communities in which they perform the services in which they are engaged. Therefore 4,508 people employed in that way are not under the civil service. But every employee in the Department of Agriculture that is appointed as an employee of the department under the provisions of this bill and the last bill that passed, which was just like this, and under the annual appropriation bill, are under the civil service and will remain under the civil service.

Gentlemen have tried to bring in propositions about the draft. They have said that this bill is an effort to keep people out of the war. I did not know there was any political matter in this bill. If they want to make that charge let them make it and

be responsible for it. But the man who makes the charge charges the Secretary of Agriculture and the officials of the Agricultural Department with willfully making an effort to keep people out of the war by putting them in bomb-proof positions and shielding them from going forth to fight the battles of their country. I would not make that statement anywhere, and I would certainly not make it on the floor of this House, because I do not believe the statement is true. I do not believe the Secretary of Agriculture or any official of the Department of Agriculture or any official of this Government is guilty of anything of that kind. They are as loyal and patriotic as you are and have no more desire to keep people out of the Army than you have.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. CANDLER of Mississippi. I have not the time; I have but a few minutes. There has been, as was stated by the gentleman from Missouri [Mr. RUBEY], about 2,000 scientists, experts, and specially qualified and useful men in the department who have been put in the deferred classes, upon the certification of the Secretary of Agriculture, by the local boards. All of them have not been even placed in deferred classes by the local boards. A young gentleman came into my office the other day who had been certified. The local board refused to exempt him or place him in a deferred class. He wanted me to try to help him out. I told him the local boards had absolute authority in the matter, and that the Secretary of Agriculture or the Department of Agriculture or any other department could merely furnish the certificate or the evidence on which to act, but that the local boards are the ones who pass upon it, and that if they had denied him exemption he would have to shoulder a gun and go to the front. He smiled like a good American and went out of my office, and went into the training camp where he had been ordered to go. Therefore it will be very readily seen that they have not all been put in deferred classes; but those have been deferred who have been necessary for carrying on the work of the Government, and you will practically destroy the Agricultural Department if you take the people out of there whom the Secretary said were absolutely necessary and who, because of their qualifications, were required to remain there in order to continue this work. Twelve or fifteen hundred have been taken out of the Department of Agriculture and have gone under the draft into the Army. All of these people outside, who are in the service away from here, who are subject to the draft, must go before the local board, and if they can not furnish justification within the provisions of the law as passed by Congress, they will be denied exemption or deferred classification and will have to shoulder a gun like the rest of the boys, and ought to do so. [Applause.]

There has been a great deal of talk about this money going for the employment of additional employees in the department simply to do political work throughout the country, to build up the Democratic cause. There is no foundation in fact for any such statement. No unnecessary employees will be employed. The Department of Agriculture does not play politics and no such statement ought to be made. There were some additional employees required. They have been employed under the provision of the former bill, 7,004 people. Because there is necessity to employ additional men is no reason why the provisions of this bill are not good. You need men to do work. You can not do work without men. You can not cultivate a farm unless you provide men on the farm. If you have 100 acres it will take so many men, and if you have 500 acres you will have to have so many more men. The United States is simply a great farm, under the supervision of the Agricultural Department, in which we are producing products to feed our Army and our own people and to sustain our allies. Do you not want to help do that? If so, quit criticizing and obstructing this bill, for that is its sole purpose, and when it becomes law it will secure that result. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," approved August 10, 1917 (40 Stats., p. 273), there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, the following sums for the purposes indicated.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 2, at the end of line 2, add the following: "Provided, That no part of the money hereby appropriated shall be used in paying salary or expenses of any man who on account of employment in which he is or may be engaged under the provisions of this act has been or shall hereafter be certified by the Secretary of Agri-

culture or by any other official of the Department of Agriculture for deferred classification, or by action of any other Federal official or authority has been or may hereafter be placed in a deferred class under act No. 12, Sixty-fifth Congress, entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, or under any act amendatory thereof that has been or shall hereafter be enacted."

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this matter has been referred to, and I gather from what has been said on both sides of the Chamber there will be little opposition to the amendment. As has been stated, the Secretary of Agriculture has himself certified for deferred classification more than 2,000 of the young men employed in one capacity and another in the Department of Agriculture, and no one knows how many of the young men throughout the country employed in the kind of work provided for in this bill or engaged in other work for the Department of Agriculture have been placed in deferred classes by local or district boards on account of such employment, and so classified without the knowledge of the Secretary. This amendment is designed to remove from all of the young men of the country the opportunity of entering the service of the Department of Agriculture under the provisions of this act and thereby having or giving reason for deferred classification under the draft law. It seems to me there ought to be no objection to this amendment. The draft act, as it is called, authorizes the exemption of men on account of employment in certain of the industries of the country, including agriculture. The words "including agriculture" were added to the bill while it was under consideration on the floor on the motion of the distinguished gentleman from South Carolina [Mr. LEVER], chairman of the Committee on Agriculture. It was supposed that some attention would be paid to that provision, and for a time there was as far as it related to farm labor; but it is learned now that few, if any, of the young men of the country actually employed on farms and needed there are excused from a place in class 1 on account of their employment; and the boards throughout the country are becoming more and more strict and are refusing to grant deferred classification to farm laborers. That is, men who are actually employed on farms are denied deferred classification.

They are refused the privilege which the draft act was intended to give them. Thus men on the farms, real farmers, are taken from the farms and put into the Army, while young men just like them, who get jobs with the Secretary of Agriculture to go out and try to tell farmers how to farm, will on their own application or by action of the Secretary be placed in a deferred class and be able to draw good salaries and escape military service; that is, they will if my amendment is not adopted.

Mr. RUBEY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I can not now. Under this bill, without amendment, and in the Department of Agriculture thousands and thousands of young men are employed and will be employed and opportunity will be given for them to plead that employment in order to receive a deferred classification. It ought to be impossible. But this bill is necessary, much of it, although, as I have said when speaking a few minutes ago, much money is asked for simply because other departments are getting it. It is a grab, and many men will be employed. It will be easy enough to get men beyond the draft age, men who are exempt from military service on account of age or for disability. They ought to be employed. There is need of soldiers. We ought not to take 2,000, as we have—and perhaps 2,000 more if this bill shall become law—and give them a chance, practically invite them, to evade military service. The gentleman from Missouri says only scientists have been exempted. Two thousand scientists! Everybody knows there are not 2,000 scientists in the department unless we adopt the definition of a scientist sometimes given, "a man who discovers something that everybody knew before and writes about it in language that nobody can understand." [Laughter and applause.] Here is an opportunity for the employment of some 6,000 men more than are now employed. It seems to me it would be only proper, plain justice to require them to be taken from a class of men not subject to military service. [Applause.]

Mr. CANDLER of Mississippi. Mr. Chairman, I hope this amendment will not be adopted for the primary reason that this is certainly not the place to enact law in reference to the draft. If the provisions suggested by the amendment of the gentleman from Michigan are proper provisions and ought to be placed in the law, then he should introduce a bill to that effect, and have it referred to the proper committee of this House, which is the Committee on Military Affairs, because that committee is absolutely conversant with what the law now is and could sift it out and determine after a full investigation of it as to whether or not it is such an amendment as

should be placed in the draft law governing the selection of those to enter the Army.

Mr. MONDELL. Will the gentleman yield?

Mr. CANDLER of Mississippi. I will.

Mr. MONDELL. I judge from what the gentleman is now saying that he is not as anxious to have the slacker excluded from this force as he seemed to be a few moments ago when defending the bill.

Mr. CANDLER of Mississippi. If the gentleman intimates I am in favor of having slackers exempted, he misrepresents me.

Mr. MONDELL. Why does the gentleman object to an amendment which will make that impossible?

Mr. CANDLER of Mississippi. I object to this amendment because it ought not to be placed in a bill of this character that has nothing on earth to do with the selection of soldiers and nothing on earth to do with the organization of the Army, but it ought to be passed, if passed at all, by regular process of legislation, coming from the committee which ought to consider it, and consider it in connection with the law as it stands to-day. Now, I can not yield further. I think it would be a dangerous thing, Mr. Chairman, to attempt upon the floor of the House, simply upon an amendment introduced without consideration by a committee and without time to know exactly the full force and effect of the language that is contained in the amendment offered, to adopt it.

It is not only amending the fundamental law under which the Army has been selected up to the present time, but under which it is proposed to select the remainder of the Army which shall be called in the future. I could not tell, and I doubt whether the gentleman from Michigan himself could tell, exactly how far this amendment would go or exactly to what extent it might be applied when construed in its full force and effect, because it is impossible, unless you have the other law before you, to see exactly the words in the law that it would strike out or what language it would modify or it would change, and you would have to know all that before it would be possible for you to know the effect of this amendment. Therefore I say it would be a very dangerous proposition to undertake upon such an amendment and without consideration and without investigation and without full knowledge of all the legislation as it exists at the present time to amend it in this way. Now, the gentleman says we need soldiers. Yes; we need them, and they are going from all over the country, and they will continue to go under the law as it is to-day. There are plenty of them going courageously to fight for their flag and for their country and resent the insults which have been offered to it, thereby proving themselves genuine patriots. The patriotism of this country is not to be questioned anywhere. There may be a few possible exceptions of disloyalty, but they are rare and few, indeed, and becoming more so, and, as the gentleman said a moment ago, the local exemption boards are becoming more careful than they were in the past, and they are not granting exemptions or deferred classifications at the present time in instances where they granted them at the outset. They will grow more strict as the days go by, because public opinion will grow more intense and patriotism grow to fever heat and will require that the man who secures exemption or deferred classification will have to come not only within the spirit but within the letter of the law before he can be granted any full or partial exemption. That being the case, I think it is best to leave the law as it is and not amend it in a manner in which you could not know what the effect of the amendment would be.

Mr. LONGWORTH. Will the gentleman yield?

Mr. CANDLER of Mississippi. I will.

Mr. LONGWORTH. What probable effect can this amendment have upon the draft law, which simply provides that salaries should not be paid to men subject to the draft? It does not amend the law in any respect.

Mr. CANDLER of Mississippi. It does amend it, because it says that nobody shall be employed or put in deferred classes or exempted. If the amendment does not change the existing law what is the necessity to adopt it? They are not exempt now upon the certificate of the Secretary of Agriculture unless exemption or deferred classification is granted by the exemption board. This would amend the draft law, and this is no place to amend it, on a bill which provides for the production of food and has nothing to do with the Army, except to produce food to feed the soldiers who are patriotically fighting for our country.

Mr. STAFFORD. Will the gentleman yield?

Mr. CANDLER of Mississippi. I will.

Mr. STAFFORD. I assume the gentleman is acquainted with the amendments offered on several occasions by the gentleman from Pennsylvania [Mr. MOORE] limiting appropriations, to the effect that they should not be used to employ persons to exempt them from the draft?

Mr. CANDLER of Mississippi. I would not have any objection to an amendment of that kind.

Mr. STAFFORD. This amendment is along the same line.

Mr. CANDLER of Mississippi. It may be along the same line, but it goes much further than that. Mr. Chairman, I have nothing further to say, and I ask for a vote.

Mr. ANDERSON. I would like to be heard on the amendment.

Mr. Chairman, I understand the Provost Marshal General has just issued an order rescinding a previous order made by him, under which it was declared to be the policy of the Provost Marshal General's office in administering the draft, when men actually engaged in agricultural production in class 1 were reached in the regular call of the quota, to place those men at the foot of the quota instead of calling them immediately. That means that hundreds, perhaps thousands, of men who are actually engaged in agriculture, who have put in crops, will be taken from their farms, and those farms left idle and the operators sent to training camps. I do not know of any reason, when men actually engaged in farming, in the raising of crops, are taken from their farms, with resultant financial loss to them and a loss of food to the Government, and sent to training camps, why we should exempt men in the Department of Agriculture who are doing no more than to talk about raising crops. And I will therefore support the amendment of the gentleman from Michigan [Mr. McLAUGHLIN].

We are fast arriving at the time, if we have not already reached it, Mr. Chairman, when we must make a survey of our situation with a view of determining the relative importance of agricultural and industrial production and military participation. We must determine just what the necessities of the occasion are, just what limitations we can put upon production, and, having determined it, we must apply the draft with reference to those determinations. In my opinion we have almost, if we have not actually, reached the irreducible minimum of the men who can be actually taken from the farm and placed in the trenches, if we are to produce anything like the amount of food necessary in order to maintain those armies.

Mr. STERLING of Illinois. Will the gentleman yield for a question?

Mr. ANDERSON. I will yield.

Mr. STERLING of Illinois. Does the gentleman know whether the resolution passed by Congress several weeks ago to furlough soldiers who want to work on the farms went into effect or not, and whether or not they are furloughing soldiers who desire to work on the farms?

Mr. ANDERSON. I do not know definitely to what extent that provision has been taken advantage of, but it is my impression that very, very few men have been furloughed, largely because of the limitation of the department under which men who are in contemplation of being sent abroad are not furloughed, and under existing circumstances practically everybody in the Army is in that situation at the moment.

This bill proposes to increase the supply of agricultural products by reducing the losses resulting from plant and animal diseases and insects and by direct propaganda to stimulate agricultural production and to produce the highest and most efficient uses of our agricultural resources.

In my opinion, this propaganda will be of little avail unless it is accompanied with a policy both more definite and more equitable than now exists in the regulation of the prices of farm products and the prices of the materials and machinery necessary for their production, and also in respect to agricultural labor. It is my intention to discuss only that part of the production equation which is represented by the labor situation.

It has been announced, doubtless with some official sanction, that it is the desire and the purpose of the Government to increase our military forces in France to 3,000,000 and perhaps to 4,000,000 men. With this purpose I am in entire accord, but it must be apparent to anyone who is at all conversant with the labor situation in the country that the increased number of men can not and ought not to be taken from the industry of the country without definite information as to the effect of taking them upon that industry or without careful provision of the policy which is to characterize their translation from industry to the Army.

The number of men who can be placed on the fighting line in France will be determined by other factors than the provisions of any legislation creating an army on paper which the Congress may adopt. It will be limited by training, transportation, and port facilities abroad, by the amount of shipping available both for transport and cargo, and also by possible available training facilities on this side of the water.

It would be the utmost folly to take men more or less indiscriminately and more or less uniformly from industry in the

country generally and put them into training in this country without reckoning on the possibility of transporting and supplying those men as fast as they are trained. Ordinary common sense would seem to dictate that men should not be taken from industry and trained faster than our transportation facilities, both here and abroad, can carry them to and supply them at the front.

We have in the United States to-day in the different cantonments some thousands of troops, perhaps hundreds of thousands, who have been in training in this country more than nine months and who, I am convinced, have long since reached the limit of the training which it is feasible to give them on this side. Further drafts of men from industry ought to be made with reference to proper calculations of the amount of time required for training here and available transportation facilities here and abroad.

These preliminary observations bring me to the suggestion that if we are soon to transfer the large number of men contemplated from industry to the military forces we are face to face with the problem of determining the relative importance in our participation in the war of agricultural production, industrial production, and military participation. We must determine whether the necessities of our military participation in the war are now so great as to justify limitations upon agricultural or industrial production and just where these limitations shall begin and how far they shall proceed.

With the exception of England, whose agricultural production is in the whole scheme of agricultural production rather insignificant, the agricultural production of every country abroad engaged in the war has been and will continue to be materially decreased; and it will be decreased in the United States unless it is determined in advance that agricultural production is of so great importance in our participation in the war that it must not be limited under any circumstances.

In my opinion, the labor available for agriculture will soon be, if it has not already been, reduced by volunteering and the operations of the draft to a point where further reductions can not be accomplished without decreasing production.

In this connection it must be remembered that a large amount of the labor on industrial production is nominally drawn from the farm and that the stupendous increases of industrial production due to the war, coupled with the high wages offered by governmental as well as by private industrial enterprises engaged upon war work, have still further depleted the supply of agricultural labor, and that these high wages will serve in a measure, at least, to recruit from the farm-labor supply the men taken out of industry by the draft. Thus the whole force of the draft, as well as increased industrial production and high wages, implements itself against the farm-labor supply.

If agricultural production is to be maintained at a normal level, to say nothing of increasing it, and a normal supply, at least, is imperatively necessary in the prosecution of the war, we shall be obliged to abandon the application of the draft which heretofore has operated with practically uniform results against all of the industry of the country, agriculture included. In its place we must adopt a policy which will permit of an operation of the draft with relation to the different industries of the country corresponding to their importance and necessity in our participation in the war.

The adoption of this policy will necessitate a classification of industry with relation to its importance and essentiality to the conduct of the war as a basis for determining where the weight of the effective operation of the draft ought to fall first. This basis having been determined, the larger effect of the draft would seem naturally to operate first against those employed in nonessential industries, and, secondly, against those industries where the labor of women can be most conveniently substituted for the labor of men, including the industries directly engaged in the manufacture of war munitions.

The farming industry is not generally susceptible to the employment of women. In large part, particularly in those sections of the country where diversified farming is carried on, farm labor is essentially skilled labor, but even assuming that skilled labor is available for farming, it would be folly to take from the farms the skilled farm owner or tenant and to supplant him with skilled farm labor drawn from some other source.

The application of the draft has already served in many places to take from the farm the farm owner or tenant, leaving the farm itself unoperated.

If the total number of troops now contemplated should be drawn from class 1, thousands of farm owners and farm tenants, as well as thousands of men engaged in farm labor, will be withdrawn from the farm and thousands of acres now planted will be unharvested as a result.

The farmers of the country seek no exemption from the military burdens of the war. Many of them, with far-seeing vision,

however, believe that their services on the farm are of much greater value to the Government in the prosecution of the war than their services in the trenches could possibly be. If the military necessity of the country requires it the young farmers will willingly abandon their farms for the trenches, but surely such abandonment ought not to be required of them until a careful and comprehensive review of our participation in the war in all of its phases compels us to the conclusion that our military necessity requires it.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, if it is not out of order I should like to be recognized again.

The gentleman from Mississippi [Mr. CANDLER] says it is not right to adopt this amendment, because it is not thoroughly understood. The gentleman himself has not taken the trouble to read it. If he will read it, he will find it is easily understood. It is plain and simple. It does no more than this, namely, to refuse deferred classification to any man on account of employment under the provisions of this act. It does not interfere with the ordinary operations of the Department of Agriculture or with the thousands and thousands of men now employed in that department under other laws—the scientists and the others that we talk about—and all others who are not employed under the provisions of this act.

Mr. ANDERSON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. ANDERSON. Of course, the gentleman's amendment would not prevent the department from employing any man who was not within the draft age, but if they can not get men outside the draft ages they ought not to take the men who are in the draft ages.

Mr. McLAUGHLIN of Michigan. That is true.

Mr. CANDLER of Mississippi. It is a fact that none of the departments at the present time, so far as I am informed, are taking anybody into the employment that are within the draft age. They are excluded.

Mr. MADDEN. Will the gentleman from Mississippi yield there?

Mr. McLAUGHLIN of Michigan. Not in my time.

Mr. MADDEN. Will the gentleman from Michigan yield to me?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MADDEN. If that be true, why is it that the Secretary of Agriculture has recommended the exemption of 2,000 men in his department?

Mr. McLAUGHLIN of Michigan. That is true. And if we permit it, many men to be employed under the provisions of this act will take the deferred classification on account of the employment that this act will give them. We ought to forbid that, and it is no reflection upon the Secretary of Agriculture or anybody else. I am tired of hearing this talk about reflection on the President if we question the advisability of giving him unlimited authority. I am tired of hearing this talk about reflection upon the Secretary of Agriculture if we suggest a limitation upon his authority. The fact is that gentlemen in high official places are now so burdened with work that it is positively impossible for them to give personal consideration even to a small part of the duties that Congress imposes upon them, and the result is that they leave a large part of such work to their subordinates. The heads of the departments have not even time to look over carefully the recommendations made by the subordinates. The result is that subordinates do much of the work and exercise much of the authority, while we try to make ourselves believe the high officials do it. The amendment proposed by me will be no reflection upon the Secretary of Agriculture.

And the gentleman from Mississippi [Mr. CANDLER] speaks about the very, very strong sentiment in this country against exempting anyone who is fit for military service or permitting him to be placed in a deferred classification. Then, why can not Congress respond to that sentiment and pass an act in accordance with it?

This amendment of mine is easily understood. It was not drawn for the purpose of deceiving anyone or embarrassing the Department of Agriculture in any of its activities. It is as plain as words can make it. It simply would prevent any man who is to be employed under this act from claiming exemption or deferred classification on account of the employment under this act. Could anything be more simple? Could there be more justice in any proposition relating to the employment of labor or the enlistment of soldiers? [Applause.]

Mr. RUBEX. Mr. Chairman, I am opposed to this amendment. I want to say just a word or two in answer to the statements made by the gentleman from Michigan [Mr. McLAUGHLIN]. The Secretary of Agriculture, as I said a moment ago, has certified about 2,000 experts and men of experience in the Depart-

ment of Agriculture, men who are already in the Department of Agriculture, asking that they be placed in deferred classes. I am informed that the Secretary of Agriculture has given his personal attention to every single, solitary application that has come into his office asking for a deferred classification, and that he has absolutely refused to be guided by the recommendations of anybody else or refer this matter to anybody else, but has acted upon each case himself personally.

I say that this proposed amendment is a reflection on the Secretary of Agriculture, and I say it advisedly. This amendment here would have been clearly subject to a point of order if the point had been made at the proper time. You are asked here to amend another act which has no relation to this whatever. If the point of order had been made, it would have clearly been subject to a point of order, but it was not made. We preferred to leave the matter to the House.

Now, then, when we passed the draft act we said to the Secretary of Labor, as we said to the Secretary of Agriculture, and to the head of every other department of this Government, "You shall have authority to certify to the local board men who are within the draft age and whom you absolutely need in your department, men who are absolutely essential to the work of your department." We said that to every department of the Government, and now here to-day you are seeking to amend that act by taking that authority away from the Secretary of Agriculture alone. It can not be taken otherwise than as a reflection on the Secretary of Agriculture, and I am opposed to it.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. RUBEX. Yes.

Mr. GREEN of Iowa. The gentleman is doubtless aware of the fact that in two, and I think in three, bills we have already inserted similar provisions. Was that an insult to the heads of those particular departments that had to do with those appointments?

Mr. RUBEX. As I said a moment ago, the Secretary of Agriculture has not the authority to place those men in a deferred class. The only possible thing he can do is to say to the various local boards, "We need this man; he is essential to our work." If he does that that local board looks into the situation locally and passes upon it. It is not within the power of the Secretary of Agriculture to place any individual in a deferred class.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. RUBEX. Yes.

Mr. MADDEN. It would be in the power of the Secretary of Agriculture, however, to refuse to take a man into this service who was not in a deferred class, would it not?

Mr. RUBEX. I think not.

Mr. MADDEN. I think it would be. They would not be appointed.

Mr. RUBEX. You mean it is not in the power of the Secretary of Agriculture to appoint a man who is not in a deferred class?

Mr. MADDEN. No. I say this would take away from the Secretary of Agriculture the power to appoint to one of these positions a man who was not in a deferred class or who is of draft age. I think that ought to be done.

Mr. RUBEX. It applies to every man who has heretofore been appointed under the provisions of this act. There are only a few men who have been placed in a deferred class under this law and who will be exempted for a time by this law.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. RUBEX. Yes.

Mr. COX. In a general way, what are these 2,000 men doing who have been given exemption?

Mr. RUBEX. In a general way they are specialists, men employed in the Department of Agriculture, many of them who have been there a number of years.

Mr. COX. But they are not men engaged in plowing and sowing and mowing and reaping?

Mr. RUBEX. Oh, I will say to the gentleman that in the Department of Labor there are very few men who are absolutely using the shovel and the hoe and the pick and the ax. [Laughter.]

Mr. COX. And many of them ought to be put to that work. [Laughter.]

Mr. RUBEX. And it is the same way in the Department of Agriculture. Everybody knows that the men employed in the Department of Agriculture are not the men who actually till the soil.

Mr. COX. They will be.

Mr. RUBEX. If we are going to put those men on the farm and have them go out to work, we had better get ready to change

the entire plan and aim of the Department of Agriculture, not only of the Nation but of every State in the Union.

Mr. MEEKER. Mr. Chairman, I think it would be just as well for us to read the amendment again. It reads:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 2, at the end of line 2, add the following:

"Provided, That no part of the money hereby appropriated shall be used in paying salary or expenses of any man who on account of employment in which he is or may be engaged under the provisions of this act has been or shall hereafter be certified by the Secretary of Agriculture or by any other official of the Department of Agriculture for deferred classification, or by action of any other Federal official or authority has been or may hereafter be placed in a deferred class under act No. 12, Sixty-fifth Congress, entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, or under any act amendatory thereof that has been or shall hereafter be enacted."

That does not affect the military law of this country one iota. It affects nothing but this act.

It does two things. In the first place it absolutely closes the doors of hope for the would-be slacker who is looking to this place as a haven of refuge. I do not think that any man in this House would object to that. In the second place it will be very, very salutary in establishing a policy at the outset respecting the putting in of men above the draft age, so that they will not be constantly changing to put in men of the draft age and then let them out when called by the board, and then take them out and put older men in or take other men subject to the draft. There is such a constant change going on in all these departments as keeps a constant stream of newcomers entering the department. But if this amendment goes in we know that from the very outset they will not have any men in here who will be removed in a few weeks or months and thereby cripple the department.

Mr. CANDLER of Mississippi. Will the gentleman yield?

Mr. MEEKER. I will.

Mr. CANDLER of Mississippi. No department of the Government is appointing anybody as a clerk or to any position of that character who is within the draft age under the provisions of this bill.

Mr. MEEKER. Does the gentleman mean between 21 and 31?

Mr. CANDLER of Mississippi. Yes.

Mr. MEEKER. Then why the opposition to this amendment?

Mr. CANDLER of Mississippi. The order has been already issued.

Mr. MEEKER. Then I can not understand the opposition to the amendment if that is the fact. It looks as if the department would welcome the legislation.

Mr. WASON. Will the gentleman yield for me to ask the chairman a question?

Mr. MEEKER. Yes.

Mr. WASON. Does the gentleman contend that a man already in the department should be treated differently from the man that is to be called in?

Mr. CANDLER of Mississippi. I do not think there should be any difference between them—all should stand alike. But I am opposed to the amendment to the draft law of this kind being put in this bill without any consideration.

Mr. PLATT. Will the gentleman yield?

Mr. MEEKER. I will.

Mr. PLATT. Does the gentleman say that the department refuses to take men under the civil service of draft age?

Mr. MEEKER. That is what the gentleman from Mississippi says.

Mr. PLATT. I know that I have received several letters indicating that that is not the fact.

Mr. MEEKER. The gentleman from New York uses a shorter word than I would myself, but I think the chairman of the committee is mistaken. Now, it seems to me that we might as well be frank about this matter. They talk about there being no slacker sentiment in this country. That is bunk. There are thousands of men who are trying to find bullet-proof jobs, and we all know it. Every time one of these men can worm his way into a place the minute he gets in he begins to try to build up a wall behind himself so they can not pull him out. The thing that Congress will do by this amendment, as far as the Department of Agriculture is concerned, will be to stop the putting of men in who will be there only a short time before they are taken out, and then putting in men beyond the draft age. Men that will be put in will be beyond the draft age, and this will only give us one school of development, whereas by the present system there are continual changes. The first six months of this work, as you all know, is practically given to the man until he learns it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANDLER of Mississippi. Mr. Chairman, let us see how much more debate is wanted. I ask unanimous consent that debate on this amendment and all amendments thereto close at the expiration of 20 minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that all debate on this amendment and all amendments thereto close at the expiration of 20 minutes. Is there objection?

There was no objection.

Mr. COX. Mr. Chairman, I am heartily in favor of this amendment. I was surprised, if not dumfounded, when the statement was made here that the Secretary of Agriculture had asked for 2,000 exemptions in his department. Two thousand exemptions in his department! Now, there is but one way, as far as we possibly can, to play this war game, and that is to play it on the absolute square. [Applause.]

When the Secretary of Agriculture, or any other Secretary, goes on record asking for 2,000 exemptions in his department, pray, tell us what his department would do if that 2,000 should fall dead overnight? Would it go to pieces like a rag? This is unfair; manifestly so. No one man's services are indispensable to a success in the war, and no 2,000 men's services in any branch of the Government are indispensable; and it is unfair to ask for their exemption.

I have not much confidence, anyhow, in these men traipsing around over the country, but I will tell you who I have got confidence in, and that is the practical farmer—the man that knows how to plant and when to plant; how to plow and when to plow; how to sow and when to sow; how to reap and when to mow. There is a young farmer in my district who lives close to me. I know him, I know his father, and I know his family. I have been upon his farm twenty times or more. He is the only boy on that farm, and the local board put him in class 4. Then the district board put him in E class 1. It is nothing to me. The fact that he was improperly placed or reclassified was brought to my attention. I went to see Gen. Crowder and was informed that there was not one chance in a thousand to have that boy put back in class 4. It is nothing to me, but the result will be that that farmer will have a public sale in a few days, because he can not hire labor. He can not get it for love or money. It is not a question of price, and so the result will be a public sale. I am not complaining, I am not criticizing anybody, but that is the condition and not a theory. There is a boy that has raised oceans of stuff—wheat, rye, corn, barley, hogs, cattle, everything that grows in my country. He was put in class 4 by the local board, reclassified by the district board, and now he is up against the call soon to go into the service. He could not get exemption; his classification was even changed. He is a practical man; a farmer from the ground up; a graduate of the school of farming experience; and yet the Secretary of Agriculture has asked, according to the statement made here to-day, for the exemption of 2,000 persons in his department. I take it that the vast majority of them are theoretical men, men that never plowed in their lives, never put up a shock of wheat, never stood on a straw stack and stacked straw, but men that are supposed to go out and tell the farmer how to produce more crops; how to make his farm a success. Here is a farmer who has made his farm a success, and here is the statement that the Secretary of Agriculture has made, that 2,000 of these men going around over the country telling the old farmer how to produce more stuff should be exempted. Why does not the Agricultural Committee accept this amendment without debate? Every man on it should vote for it to go on this bill. I propose to vote for it myself. [Applause.] Some of the departments are taking in men of draft age to-day. A young man found his way into my office last week who, 22 years of age and in class 1, a single man, got in the civil service and got a job here—

The CHAIRMAN. The time of the gentleman from Indiana has expired.

By unanimous consent Mr. Cox was granted leave to extend his remarks in the Record.

Mr. Chairman, there are 20,000 men and women employed in the Agricultural Department. I do not know how many of those are women, but assuming that they are all men we have here the record of the statement to the effect that the Secretary of Agriculture has asked for the exemption of 1 man out of every 10 in his department from military service. Do you believe in this sort of practice? If not, then here is a remedy. The adoption of this amendment simply means that the Secretary of Agriculture shall not employ in these activities any man who is within the draft age. Are there men beyond the draft age who are qualified to perform this kind of work? I would hate to think there are not. Then, if there are, why not employ them? Why give the Secretary of Agriculture or any other man the power to employ men and thereby relieve them from military service? We are engaged in a great war in which every man, woman, and child in America is interested. Shall we say that those who are employed in the Agricultural Department are to be exempt from military duty? I hope not. There can be no question about the wisdom of the

adoption of the amendment that is pending. What does it do? It simply directs the Secretary of Agriculture that under no circumstances must he employ and thereby relieve from military duty anybody within the draft age. It serves notice upon him that for every man needed in these activities he must find a man beyond the draft age. Is that any evidence of distrust of the Secretary of Agriculture? Not at all.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. COX. Is not this the fact: That in the recent draft bill which the House passed we put all of the students of divinity and medicine hereafter in the Army and prevented them from stacking up in medical and divinity schools?

Mr. MADDEN. Yes; and the House was most emphatic upon that question.

Mr. COX. Absolutely.

Mr. MADDEN. Why place the Secretary of Agriculture upon a pedestal above criticism? Why say that he alone shall have the power to exempt men from military service? Why compel the widow whose only boy, is needed at home to send him to the front to fight for America, to send that boy and then permit the Secretary of Agriculture to employ men whom he can exempt from military service? Why not say to the Secretary of Agriculture that no man under 31 years of age shall be given employment under this act? Why not say that no person under 31 years of age shall be paid from this appropriation? That is what the amendment says. That is what it does. It seeks not to amend the draft act, not at all. It simply places a limitation on the expenditure of this \$6,100,000. Is it just to place such a limitation upon it? Shall we say to the widows of America, your boy is without influence and shall be sent to the front to fight, while boys within the draft age who have influence enough to get upon the Agricultural pay rolls shall be hidden away in a safe place beyond the danger of the firing line? Gentlemen, do it if you will; but you can not do it with my vote. [Applause.]

Mr. SMITH of Michigan. Mr. Chairman, one of the principles upon which our Government was established and founded, at the very threshold, was that all men are created equal in the eyes of the law. I look around this Chamber, and I see your boy, and yours, and your two boys in the Army, and I think they are just as good as those boys who would be exempt from the draft under this bill providing they secured employment in the Agricultural Department. I think the amendment of the gentleman from Michigan, making everyone within the draft age liable for military duty ought to prevail and not allow exemption because employed in any department.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. COX. Does the gentleman not remember that when the food-control bill was under consideration last year the gentleman from South Carolina [Mr. LEVER], who had charge of it, accepted an amendment almost identical in language with this?

Mr. SMITH of Michigan. I think that is true, and I thank the gentleman for his suggestion. If we are going to raise an army, let us have an army of enlisted men ready for military duty. If it is generally understood that there is to be a haven where men can get civil employment from the Government and be exempted from military duty, it will have a bad effect upon the morale not only of the Army, but of the people at home. It will cause ridicule, and it will have a bad effect on the boys now in the service. This bill is all right, but it needs a few amendments. I wish they could amend the report of the committee where it says that certain thousands of dollars are to be employed in locating Irish potatoes. That should be amended by adding the words "in Michigan" after the word potatoes, because there is such a superabundance of Irish potatoes from last year's crop up in Michigan that it has all Ireland staggered.

Mr. MADDEN. The farmers are selling potatoes now at 60 cents a bushel on the market and have to pay the freight out of that 60 cents.

Mr. SMITH of Michigan. That is true. This whole country should prepare for fighting first, last, and all the time. If they are looking for more men to do the harvesting with this \$500,000, they might step over to the Labor Department and take a peep at the list of 300,000 laborers that is there, and they may find them in that institution, which is employing the activities of the Post Office in getting laborers and workmen. There are 10,000,000 men in this country within the draft age. That leaves 90,000,000 outside. Is anyone going to say that there can not be procured enough men from the 90,000,000 to run the Agricultural Department for the farmers? Why, of course, they can get them. The Government takes the best experts in the country—all kinds of engineers, college men, mechanics, machinists, architects, bankers, and I was going to say lawyers—

and puts them in the Army, and I think Government employees ought not to be exempted. [Applause.] Let us not exempt them. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANDLER of Mississippi. Mr. Chairman, I ask for a vote.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

First. For the prevention, control, and eradication of the diseases and pests of live stock; the enlargement of live-stock production, and the conservation and utilization of meat, poultry, dairy, and other animal products, \$1,058,975.

Mr. HUTCHINSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, after the word "first," strike out the remainder of the paragraph and insert the following:

"For the prevention, control, and eradication of cattle ticks, \$61,610; of hog cholera, \$202,965; of abortion, influenza, strangles, etc., \$175,000; for the production of beef cattle, \$105,000; for live-stock production in the great plains region, \$100,000; for the production of pork, \$150,000; for the production of poultry, \$129,600; for the production of sheep, \$60,000; for the making of cottage cheese on the farms, \$52,950; for the utilization of creamery by-products, \$21,850."

Mr. CANDLER of Mississippi. Mr. Chairman, I reserve a point of order on the amendment.

Mr. HUTCHINSON. Mr. Chairman, this amendment has exactly the same aggregate as the section provided in the bill. The object of the amendment is to itemize it. The committee spent a considerable time, and on four items in this section there was a reduction of \$210,680. The first was the eradication of cattle ticks, and the estimate asked was \$191,190, and we reduced it to \$61,610. The next was the production of poultry, and the estimate was \$168,000, and we reduced it to \$129,600. The third was making of cottage cheese on the farm, \$80,000, and we reduced it to \$52,950. The fourth was \$37,500, and we reduced it to \$21,850. The total, as I said, is the same amount as in the bill. My object in introducing the amendment is to itemize it. This gives power to the Secretary of Agriculture to spend all of this amount on any one item. My idea of it is that our work is useless if they can spend it all on one item, and it ought to be specified, so that each item would get their proper share. One item, for instance, the making of cottage cheese on the farm, \$80,000, an article in common use, was cut down to \$52,950, one of the most useless things that the Department of Agriculture can do, because the average woman on the farm knows how to make cottage cheese. In fact, I could give in four or five words the recipe that will do the work which this \$52,950 will do. This bill, I think, ought to be itemized in this section and all the others, so that we will know what we are voting for. [Applause.]

Mr. COX. Will the gentleman yield for a question?

Mr. HUTCHINSON. I will be glad to yield.

Mr. COX. If I understood the gentleman's amendment, it strikes out all of paragraph 1, which carries an appropriation of \$1,058,975, and inserts in lieu thereof—

Mr. HUTCHINSON. Ten items, amounting to the same amount.

Mr. COX. I have not had time to foot up the appropriation carried in the gentleman's amendment, but does it foot up the same thing?

Mr. HUTCHINSON. Exactly the same amount. It is only itemized.

Mr. STAFFORD. Mr. Chairman, as I understand the amendment of the gentleman from New Jersey, it purposes to carry out the conclusion of the committee in the amount of money that they should award for the respective purposes enumerated in this item, which is lumped in one amount under general phraseology in the bill reported by the committee. If there is one thing for which the Congress has been contending for a long time it is to try and have control of the expenditures of the respective activities in the departments, but the proposal of the committee would grant the head of a department carte blanche to use any amount that he saw fit up to \$1,058,000. For instance, the full amount could be used for what I regard as a foolish and fantastic experimentation with respect to the making of cottage cheese on the farm; especially in these times is it rather fantastic, as any person who knows anything about schmierkase ought to know that there is no necessity even to spend \$52,950.

Mr. COX. Will the gentleman yield?

Mr. STAFFORD. Another advantage of the amendment proposed by the gentleman from New Jersey is that if the House wishes to eliminate and strike out some of these appropriations for these respective items it would be privileged to do so, but when you read the general item reported by the majority of

the committee no one can find there such a scientific investigation as the making of cottage cheese on the farm—

Mr. COX. Can the gentleman inform the committee in all seriousness how that item of \$52,950 is to be expended—by employing people to travel over the country or publication of pamphlets or what?

Mr. HAUGEN. They are going to send men to each county, in each State, to teach the farm wife how to make cottage cheese.

Mr. STAFFORD. I will yield to the gentleman from Iowa and let him explain what this really scientific work consists of in these stressful times of war.

Mr. COX. The first thing I ever knew was of my mother making cottage cheese.

Mr. HAUGEN. The gentleman can go ahead in his own time, and I will take time later.

Mr. STAFFORD. At the request of the gentleman from Iowa, I shall proceed. Mr. Chairman, especially in these times when we are pressed for revenue, especially in these times when we should scrutinize with care the expenditures of the departments which are not engaged in war activities, should this Congress adopt a policy of segregation of items rather than the policy of lump-sum proposals, especially as reported in this bill when the amounts run up into the millions of dollars.

Mr. FESS. Will the gentleman yield?

Mr. STAFFORD. I will yield to the gentleman from Ohio.

Mr. FESS. Is it not true that with all of these items covered in one lump sum there is no way of getting at any indefensible item like the making of cottage cheese, and that is probably why it is put in that way?

Mr. STAFFORD. I do not know what the motive of the members of the committee may have been in recommending it in this omnibus form, but certainly the House can not determine as to whether it should exercise its prerogative in allowing certain activities to continue or not. We have the right to determine how much should be expended for these various activities. If we want to increase the appropriation for the eradication of cattle tick, we should do it. If we wish to strike out the appropriation for that fanciful latter-day creation of a survey and investigation of cottage cheese on the farm, we should do it. Then there is the other provision, which was included in the omnibus bill, of utilization of dairy products, \$21,050. That may be an activity which the members of the committee can inform the House as to whether it is desired or not. In the form submitted by the gentleman from New Jersey [Mr. HUTCHINSON] it is left to the House to determine whether the respective appropriations for these segregated items should continue or not.

Mr. HAUGEN. Mr. Chairman, in response to the question of the gentleman from Ohio, I desire to read from Mr. Rawl's statement before the committee, which appears on page 27. It says:

The CHAIRMAN. Your first item, Mr. Rawl, is No. 9, on page 8, "Making cottage cheese on the farm." The allotment for 1918 was \$52,950, and the estimate in this bill is \$80,000, which is an increase of \$27,500.

And he says, among other things:

The experience of the department during the present fiscal year clearly indicates the desirability of carrying on an active campaign for the purpose of encouraging the making and consuming of cottage cheese. With the emergency funds available this year an agent will be assigned to each State to demonstrate proper methods of making cottage cheese and to give definite information regarding its use.

I would like to read the gentleman's testimony given a year ago, as follows:

I believe if you go into a county and teach the domestic-science agent how to make cottage cheese, and how to make it on the farm—

Experts are to be sent into the States to teach the Government employees how to make cottage cheese, they in turn to teach the farmer's wife. Now, I believe it is safe to say that there is hardly a 12-year-old girl on a farm that does not know how to make cottage cheese. All there is to it is to put a little clabbered milk in a cheese cloth, hang it up overnight, and add a little salt to it in the morning; and if butter and cream is added it improves its quality. That is all there is to it. And we are here proposing to send men out at the rate of \$2,500 a year to show Government employees in the country how to make cottage cheese—\$80,000 was suggested in addition to the appropriation made in the annual appropriation bill. Here is the process, and it is an interesting one. Dr. Rawl said:

And if that agent goes back the next week and gives two or three more demonstrations, and the next week does the same thing—

And so on.

He believes the farmer's wife can be taught to make and made to eat cottage cheese.

What a wonderful process, gentlemen!

Mr. COX. Are these agents who are trooping around for this purpose, men or women?

Mr. HAUGEN. I presume both; I do not know what they are.

Mr. COX. What salaries do they draw?

Mr. HAUGEN. They draw from \$100 to \$300 a month. There is no limitation in many salaries fixed by the Department of Agriculture. Many are scientists, and the only limitation is the \$3,500.

Mr. COX. If there is a woman on the farm in all this broad land who does not know how to make cottage cheese, could not that information be carried to her in a bulletin?

Mr. HAUGEN. It does not have to be carried in a bulletin. Every housewife knows how to make cottage cheese.

Mr. COX. They had better move to the cities.

Mr. HAUGEN. Well, everybody in the cities knows how to make cottage cheese, as well as those on the farm. It is a very useful food product.

Now, Mr. Chairman, all I desire to say, and I believe it is clear to everybody, is that this bill should not be passed in the form in which it is drawn, and the only practical way of doing business would be to send it back to the committee with instructions to have this bill reported as the bill should be reported and as committees have been instructed from time to time to report bills, and that is, that every item should be segregated in order that Congress may know something about how this money is to be appropriated.

Mr. RUBEN. I want to ask the gentleman and also the gentleman from New Jersey [Mr. HUTCHINSON] why it is that that suggestion was not made by you or by him in the committee? There was no man in the committee that made any suggestion of that kind whatever, to my knowledge.

Mr. HAUGEN. Mr. Chairman—

Mr. WASON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WASON. I would like to know if it is proper in here to bring in the doings of the committee?

The CHAIRMAN. The question of what passed in the committee properly ought not to be brought in here. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, may I have one minute more?

Mr. RUBEN. Are you ashamed of what occurred in the committee?

Mr. WASON. It is not a question of whether I am ashamed of the gentleman from Missouri or not. It is a question of keeping within the rules.

Mr. HAUGEN. I would like one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. As stated by the gentleman from Michigan [Mr. McLAUGHLIN], if there ever was a bill contested in that committee it was this bill, from beginning to end; but, as the gentleman knows, the bill was reported; that there was an effort made to cut down many of the amounts carried in the bill and to have it reported in a regular way in which appropriation bills are generally reported. It is a matter that ought to be sent back to the committee and the items segregated. The department and the Congress ought to know just how and where this money is to be expended. Under the present form the whole amount, \$1,058,975, can be used for the purpose of encouraging the making and consuming of cottage cheese, for the employment of agents, which seems an absurd and unbusinesslike way of making appropriations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANDLER of Mississippi. Mr. Chairman, I ask unanimous consent that debate upon this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that debate on this amendment and all amendments thereto shall terminate in 15 minutes.

Mr. CANDLER of Mississippi. I modify the motion and ask for 25 minutes.

The CHAIRMAN. The gentleman modifies the request and instead of 15 minutes asks for 25 minutes. Is there objection?

Mr. GREEN of Iowa. Mr. Chairman—

Mr. CANDLER of Mississippi. That includes five minutes for the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Somebody told me just now that we were to vote at 5 o'clock. Do you expect to use all the time up to then?

Mr. CANDLER of Mississippi. The vote at 5 o'clock is on another bill. I reserve a point of order on the amendment.

The CHAIRMAN. Is there objection to the unanimous-consent request of the gentleman from Mississippi? [After a pause.] The Chair hears none. Now, will the gentleman from Mississippi indicate the gentlemen who are to occupy this time?

Mr. CANDLER of Mississippi. The gentleman from Iowa [Mr. GREEN] asks for five minutes, the gentleman from Michigan [Mr. McLAUGHLIN] five minutes, the gentleman from Indiana [Mr. Cox] five minutes, and the gentleman from Missouri [Mr. RUBEY] five, and I want five.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BURNETT having taken the chair as Speaker pro tempore, a message from the President, by Mr. Sharkey, one of his secretaries announced that the President had, on May 20, 1918, approved and signed bills and a joint resolution of the following titles:

H. R. 11245. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917;

S. 3771. An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government; and

S. J. Res. 124. Joint resolution providing for the registration for military service of all male persons citizens of the United States or residing in the United States who have since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of the act approval May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States."

FOOD PRODUCTION.

The committee resumed its session.

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] is recognized.

Mr. GREEN of Iowa. Mr. Chairman, this bill in its present form is utterly and absolutely indefensible. There is not any defense that can be made for bringing in a bill carrying over \$11,000,000 in lump sums, the intention of which, it is admitted, is to scatter it around among a large number of items, as to which not a man in the House has any information except what has been given by the gentleman from New Jersey [Mr. HUTCHINSON].

It is not alone this absurd and ridiculous proposition of appropriating \$80,000 for disseminating information as to making cottage cheese. And right here I want to warn any agents who propose giving information on that subject from going into the houses of any Iowa farmers and attempting to give instruction to the housewives along that line. They will probably be instructed in something themselves, if they undertake it. [Laughter.]

There are others of these items that ought to be cut down or entirely eliminated. But there is no way by which it can be done, because of the peculiar manner in which this bill is brought in. The last Agricultural appropriation bill carried an item of \$460,000 for the elimination of hog cholera. Now, they want \$200,000 or \$300,000 more, as we are informed by the gentleman from New Jersey, for the elimination of hog cholera, when they would have to search in order to find the hog cholera existing in this country at this time, because hog cholera, as everyone conversant with that disease knows, goes by cycles. This is one of the particular times when it is not prevalent and it is not necessary to have so large appropriations to use at present.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SMITH of Michigan. Is it not true that the appropriations heretofore for that purpose have been well used and that the disease has been stamped out?

Mr. GREEN of Iowa. I think it likely. At all events, the disease is not very prevalent at this time.

No showing can be made as to why the amount should be increased at this time, or why we should have a larger sum now for the extermination of the cattle tick. Has not the sum heretofore appropriated been found sufficient?

Why, in Heaven's name, should we be appropriating money for the distribution of laborers or obtaining farm labor when the Department of Labor has a complete plan on an elaborate scale to distribute and supply laborers? Why should we duplicate this? I find from the tables presented by the gentleman from New Jersey that they even want something like \$20,000 or \$30,000 for promoting the culture of the castor bean. Gentlemen of the House, we have learned about the failure of the airplane program; we have learned from the voluminous report that they had submitted that they had made no fighting airplanes, but they made much of the fact that they had provided for the culture of castor beans. Now, it seems it was

not in such a way but that the Department of Agriculture finds it necessary to spend more money for the same purpose. [Laughter.] You can go into every supposed item included in this bill and find some reason why it should be cut down or entirely eliminated.

What do we want with two county agents in each county? Why is not one enough? Of course, some gentleman will say, "You do not know that this is for two county agents." That is just the trouble. We do not know how this money is going to be expended, or what it is going to be expended for. We have no justification whatever for the bill in its present form. We do not know where to cut it; we do not know how to reach the objectionable items. In short, we know nothing about the bill, except that it ought to be recommitted to the committee and brought forth in proper form, so that we can tell something about it.

Mr. Chairman, how long are we to go along in this way, facing a situation where we are expected to raise \$30,000,000,000 for the next year, and when we come in with a bill carrying \$18,000,000 have some one say, "We do not know what these items are, but we think they are all right. The Secretary of Agriculture wants the money." [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, may I have a minute more, or does the limitation of time prevent?

The CHAIRMAN (Mr. CARTER of Oklahoma). The time has been allotted.

Mr. GREEN of Iowa. Otherwise I would like to have five minutes more.

Mr. CANDLER of Mississippi. The time was allotted by unanimous consent. The gentleman was given 5 minutes out of the 25.

Mr. CANNON. The gentleman can get time by unanimous consent.

Mr. COX. Mr. Chairman, I offer an amendment to the amendment, to strike out \$52,950 and insert in lieu thereof \$25,000.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amendment offered by Mr. Cox to the amendment offered by Mr. HUTCHINSON: Strike out the figures "\$52,950" and insert in lieu thereof "\$25,000."

Mr. COX. Mr. Chairman, the amendment of the gentleman from Michigan [Mr. McLAUGHLIN], adopted a little while ago, materially strengthened the bill, in my opinion, and makes it a much better bill than it was when it was brought into the House. The amendment now before us, offered by the gentleman from New Jersey [Mr. HUTCHINSON], ought to be adopted. It ought to have the unanimous support of every member of the committee.

This bill, gentlemen, furnishes an unanswerable argument as to the necessity of a budget committee in the House. One department is duplicating another. One department is asking an appropriation for a certain kind of work, and another department is asking an appropriation for the same kind of work. I think before we get through with this war we shall certainly get a budget committee, a Committee on Appropriations combined with a revenue committee, the two going hand in hand to raise the revenue and make the appropriations.

Now, unless the amendment of the gentleman from New Jersey is adopted, as the argument has been well made here, there will be no limitation on the amount that can be expended on any one item in this bill; not at all. They can spend the entire \$11,000,000 for any item they want.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. MONDELL. Does the gentleman think this entire appropriation could be used for the cottage-cheese investigation?

Mr. COX. I am going to discuss that in a moment.

Mr. CANDLER of Mississippi. Has the gentleman any idea in the world that it would be used for any such purpose?

Mr. COX. I have no idea, but I would just as soon trust the judgment of Congress as to trust the judgment of any Cabinet officer when it comes to spending money.

Mr. CANDLER of Mississippi. Does the gentleman believe that the Secretary of Agriculture would squander the money in that way?

Mr. COX. No; I do not think he would recklessly squander the money. I presume he would be economical in its expenditure, although I would prefer the judgment of this Congress to limit his ability and permit him to spend only so much on each item. But the idea of spending \$52,000 to teach the women of this country how to make cottage cheese is astounding; the

idea of appropriating \$52,000 to employ men and women to travel about through the rural communities telling farmers' wives how to make cottage cheese is absurd, preposterous, unbelievable, if not unthinkable, in time of war or in time of peace. Why, the first food commodity that I distinctly recollect my mother having made was cottage cheese. Forty-five or forty-eight years ago, I remember it well, and that was almost before we even had the Agricultural Department or even a bureau of it. Now, there might be some sense in using this money in some sections of the country where farmers' wives do not know how to make cottage cheese, but I do not know where those sections are. You will find the wives of the farmers in the North that can throw a ring around these people who go out and try to teach them how to make cottage cheese. You can find farmers' wives in the North who can make these people look like 30 cents with a hole in it in this line of work. I do not care if these people who go out are college graduates, because the old woman on the farm is a graduate, too, although she has not worn out her back in sitting in colleges, but she has worn it out in the school of experience in learning how to produce things.

Mr. HERSEY. Will the gentleman yield?

Mr. COX. Not just now. It may be that the department might need a little appropriation here for the publication of bulletins or circulars or something of that kind that could be sent through the mails, distributed among the women, if there be any in the country that do not know how to make cottage cheese, and tell them all about it. I think my amendment ought to carry. It only saves, it is true, \$25,000.

Mr. HERSEY. Will the gentleman yield?

Mr. COX. I will yield for a question.

Mr. HERSEY. Has the gentleman understood that it was the purpose to ship cottage cheese to the soldiers in France?

Mr. COX. I do not know anything about that. If it is, this thing would not tell the farmers' wives anything more than they already know about it. [Applause.]

Mr. CANDLER of Mississippi. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Chairman, one of the peculiarities in this body is that whenever a bill is brought before the committee recommending a comparatively small appropriation for anything touching agriculture there is always raised a tremendous howl against it. I have seen pension bills carrying \$150,000,000 pass this body without 10 minutes of debate. I have seen the Post Office appropriation bill, carrying over \$250,000,000 to \$300,000,000 pass practically without discussion. I have seen the great naval bill take the same course. I suspect that in a few days we will have the Army appropriation bill, carrying not millions but billions; and there will not be a single little chirp about it from those gentlemen who are so solicitous of the funds in the Treasury. It is only when the Agricultural Committee comes in that the watchdogs from certain large committees in this House who would like to control all the appropriations that Congress makes get into action and get busy. I have seen it take place here for many, many years. I see the evidences of it again this afternoon. I assume that we shall see more evidences of it on to-morrow and the next day, and as long as this bill is under consideration.

Mr. MONDELL. Will the gentleman yield?

Mr. LEVER. I have only five minutes which was graciously yielded to me by the gentleman from Mississippi. This bill prepared by the Committee on Agriculture now in charge of the energetic and active gentleman from Mississippi [Mr. CANDLER] is not an unusual piece of legislation. It is following the exact lines verbatim of the food-production act which passed this body last year and became an act of Congress by the signature of the President on the 10th of August, 1917.

It might have been better to have segregated these items. It has been the policy of the Committee on Agriculture, in dealing with the regular appropriation bill, to segregate the items as far as possible. This committee in making up this bill, however, has followed the dictates of Congress itself in lumping the funds into several general items.

My friend from Indiana [Mr. Cox] raised a good deal of smoke about that fact, that we are appropriating a small fund here for the encouragement and the production of cottage cheese. I want to say to the gentleman that my old grandmother—my mother having died when I was a baby—also knew how to make cottage cheese. We called it clabber cheese in my country. There are thousands and thousands of women in this country to-day, country women, who know how to make it. I agree with the gentleman from Indiana on that, but they have not had impressed upon them the importance of making cottage cheese to use as a substitute for meat. That is the purpose of this appropriation. There is hardly a rural woman in the United States who does not know how to make cottage cheese, but there

are tens of thousands who have not had it brought to their attention that by utilizing the milk, much of which is wasted on the farm, they can save meat that can be sent to our boys who are dying in the trenches across the water. That is the purpose of the \$52,000 appropriated in this bill. Is that good work?

Mr. ANDERSON. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. ANDERSON. Is it not a fact that the appropriation of \$52,000 was to stimulate the commercial production of cottage cheese and to utilize the by-products of the creamery?

Mr. LEVER. Both. One is to encourage production of cottage cheese among the rural women and the other is to encourage utilization of by-products of the creamery in order that we may save meat; and it is a better proposition than gentlemen think it is, after all. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I think this item in the bill should be separated into its proper parts by the adoption of the amendment of the gentleman from New Jersey. If this bill should pass in its present form, the Secretary of Agriculture will not know how much money has been appropriated for the several lines of work, because the bill carries no information. He will be permitted to expend it all for one thing to the exclusion of all others. It will only be by going and looking over the minutes of the Committee on Agriculture that he can determine how much money was intended for each of the several items. We reduced one item \$129,000. We have reduced others. We increased some. What information has the Secretary of Agriculture as to how much money was allowed for any particular thing? What would he do in spending the money? How much would he know had been allowed by Congress?

The will of Congress should control the Secretary of Agriculture, although, if we take the word of the gentleman from Mississippi, a suggestion from Congress to the Secretary is a reflection upon him. The gentleman from Iowa [Mr. GREEN] asks why it was necessary to employ two county agents in a county. Under this bill, if it should be enacted into law, provision is made for sending not alone two, but four or five or a half-dozen agents into a county. Over and over again I have asked gentlemen representing the department appearing before the committee why it is necessary to have one man go to talk with a farmer about his beef cattle, and another to go to talk about poultry, and still another go and talk about sheep production, and a fourth man go and talk about diseases of hogs or about the increase in the production of them.

Mr. SMITH of Michigan. On dairy work also.

Mr. McLAUGHLIN of Michigan. And as to dairy work, yes; and the reply of each one of these gentlemen was that each man was an expert in his line, that it takes an expert, and that a man can be an expert in only one line of work. The result is that these automobiles we are supplying will be filled with a half dozen of these agents and representatives of the Department of Agriculture going to and fro, going in a bunch to a farm, each "expert" to talk to the farmer about a particular line of work. That is a legitimate criticism of this bill and of some of the work it provides for. That objection has been made in committee over and over again, and argument made against the employment of so many men, but the argument fell upon deaf ears, and this bill comes in its present form. My statement respecting these matters is not overdrawn; it is in no respect a misstatement or an exaggeration. I have made that objection, and I have called it to the attention of the heads of the bureaus and of the Secretary of Agriculture himself more than once. Time and time again when they came before the committee I asked why it was necessary to have two, three, four, and five men employed to go to a farm, each one to talk about a particular line of work, all work that one man, if he is fit to hold the humblest of these positions, ought to know all about, and the answer is that it is expert work, and that therefore all of these men must be employed.

In case there is danger of these "experts" crowding the inhabitants or themselves in small towns, or if their joint visit to a farm is liable to interfere with the farmer or inconvenience the men themselves they are advised, I presume, to hold a convention before entering the town and arrange a schedule of operations.

Mr. LA FOLLETE. Was any suggestion ever made that they go in the wintertime so as to give the farmer a little chance to do some real work?

Mr. McLAUGHLIN of Michigan. There is a suggestion by some one that they go in war time, when they can be exempt from active military service, but this House in its wisdom has prevented that. It is absolutely necessary, if we are to give any direction whatever to the Secretary of Agriculture as to the expenditure of a sum of more than \$2,000,000, if the will of Con-

gress is to be expressed in any form as to the manner in which this fund shall be used, that the amendment of the gentleman from New Jersey [Mr. HUTCHINSON] be adopted.

Mr. CANDLER of Mississippi. Mr. Chairman, I reserved a point of order on this amendment, and I ask the Chairman to rule upon it. This bill is in the language of the food-production act passed at the last session of Congress. This item is in identically the language of that bill. The item reads as follows:

For the prevention, control, and eradication of the diseases and pests of live stock; the enlargement of live-stock production, and the conservation and utilization of meat, poultry, dairy, and other animal products, \$1,058,975.

This bill is simply making an appropriation to carry on that work. That was the work that was authorized at the last session by that law. To divide it up, to itemize it, and chop it to pieces would be a change of that law, and it seems to me that it is subject to a point of order on the ground that it changes existing law. Furthermore, the amendment offered by the gentleman in the form in which he offers it is not germane to this section. I submit that to the Chairman.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. CANDLER of Mississippi. Yes.

Mr. WALSH. Is not the effect of the amendment in the nature of a limitation as to how much of the appropriation may be used for certain specified purposes, all of which are within the purview of the act?

Mr. CANDLER of Mississippi. No; I do not think it would be a limitation. It is a specific direction as to how it shall be expended—that he shall expend so many dollars, no more and no less, for a specific purpose.

Mr. WALSH. If it says \$52,000 for cottage cheese, it certainly limits the amount that can be used for that purpose.

Mr. CANDLER of Mississippi. It limits the amount to that particular item, but it is a direction that not one cent more can be expended for this or that.

Mr. WALSH. And the gentleman is opposed to that?

Mr. CANDLER of Mississippi. I am in favor of giving the Secretary of Agriculture the discretion in reference to the expenditure of sums for various items, just like was given under the food-production act a year ago.

Mr. STAFFORD. Mr. Chairman, unless the Chair is ready to rule, I desire to say a word or two.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. STAFFORD. The logic of the position of the gentleman having the bill in charge is that the House must appropriate for every item of expenditure as carried in general language in the food act of August 10, 1917. I grant that the language of the paragraph under consideration, which the amendment of the gentleman from New Jersey seeks to strike out, is in the identical language carried in the original food act, but I do not grant that Congress has not the right in voting the appropriation to determine how much money shall be voted for the respective purposes. Congress has the authority to refuse to vote the money for these respective purposes. If it has authority to refuse to appropriate, it also has authority to segregate and designate the respective character and the extent of service which come within the generic language as included in the original food-survey law. I contend, Mr. Chairman, that the language of the substitute offered by the gentleman from New Jersey does not contain one item of activity that can not be included within the general phraseology of the bill as reported from the committee. Certainly this Congress is not limited to the phraseology of the act of a year ago. It may be limited as to the purposes which were included in the general language in that authority of a year ago. Congress has the right at all times to appropriate or to refuse to appropriate, and it has the further right now, without changing the existing law, to designate specifically the activities and functions for which these appropriations will be made. If the Chair will study the substitute offered by the gentleman from New Jersey he will see that there is not an item there included that is not covered under the general phraseology of the item as reported by the committee.

The CHAIRMAN. The Chair has been looking over this amendment pending the debate. I believe it is agreed that the language of the paragraph proposed to be replaced is the language of existing law, and that it provides in a large way, and in general terms for extensive activities on the part of the Agricultural Department. Looking to the proposed amendment the Chair does not note that in its enumeration of activities there is a single one that is not possible for the Agricultural Department to set on foot and pursue under the general authority of the existing law. A fixed amount is proposed by the amendment for each of the enumerated activities. Whatever Congress is empowered to appropriate for, it can refuse to appropriate for, and in the exercise of this power to deny any appro-

priation whatsoever, it can appropriate for a limited extent only. This being so, it can fix this limited appropriation at whatever amount it deems to be fair and just. Its judgment on that matter is final and conclusive. This amendment enumerates certain activities which the Agricultural Department is empowered to set in motion, as and with respect to these activities, it fixes the amounts that may be expended thereon. If the amendment is adopted, it is in substance a declaration by Congress that, under this particular head, the activities indicated, are the only activities for which it is willing to appropriate. Should Congress choose to exercise its authority to award, or deny an appropriation, for an authorized purpose, by appropriating for one, or more items falling within that purpose, and refusing it to others, who is there to say it nay, and in fact in principle who should say it nay? It is a reasonable exercise of a power that belongs to, and ought to belong to, and remain with the Congress. The Chair overrules the point of order.

Mr. CANDLER of Mississippi. Mr. Chairman, I think I have five minutes remaining. I desire to call attention to the fact that this bill as reported by the committee is exactly in accordance with the food-production bill which was reported a year ago, which was approved by Congress by a vote that was almost unanimous. There were 365 votes for that bill and only 5 votes against the bill in identically the same language that you will find in this bill making lump-sum appropriations just exactly as made in this bill, and without any change whatever from the language of that bill this bill was reported by the direct authority and under the direction of the Committee on Agriculture. There was no objection expressed in committee to reporting the bill in this form, but on the contrary I was directed by a unanimous vote of those present and voting in committee to report it in this form.

Mr. STAFFORD. Will the gentleman yield?

Mr. CANDLER of Mississippi. I have but five minutes.

Mr. STAFFORD. For just a question.

Mr. CANDLER of Mississippi. All right.

Mr. STAFFORD. Is it not a fact that last year this was the initial legislation along this line. Congress did not put a restriction upon the department's activities, but now there are specific recommendations that have been made, so why should it not limit the authority in the way proposed by the amendment suggested by the gentleman from New Jersey?

Mr. CANDLER of Mississippi. It was new legislation at the last session of Congress, and Congress passed the law in this identical form and put the fund in the hands of the Secretary of Agriculture, and thereby charged him with the responsibility of administering it, and the Secretary of Agriculture has kept it absolutely under his own personal control. None of it has been expended and none has been allotted to a single bureau or a single division of the Department of Agriculture except by the Secretary himself, and the bureau chiefs or division chiefs or the other employees in the Agricultural Department who have expended any part of it have had to go to him every time and submit their proposition to him and secure his approval of it and then get from him an allotment out of the fund for the activities they proposed to undertake.

Now, that having been the policy before, the Secretary of Agriculture is better qualified now by experience, and his department is better qualified by experience and investigations which they have made, to carry out the provisions of this law under the lump-sum appropriation and general legislation as provided in this bill than they were a year ago. Why change the whole plan of legislation and take the discretion away from the Secretary of Agriculture in these war times when emergencies frequently arise and say to him, "You can spend a thousand dollars on this matter and a thousand dollars on that, but you shall not spend \$999 for this and you shall not spend \$1,001 for the other." I have absolute confidence in the Secretary, in his good judgment and patriotism, to give him this discretion to spend this money to get the best results, and therefore I am opposed to the amendment offered by the gentleman from New Jersey. Pass the law as it is, and put the money in the hands of the Secretary. It is true that the department says this is the manner in which they propose to use it, specifying the items; and each item was fully considered by the committee and a full hearing was had. Then after the full hearing was completed, then each and every item was taken up, each and every item was considered by the full committee—not a subcommittee—and each and every item was passed by the committee, and the total amount included in each and every section in the bill as reported by the committee by the specific direction of the committee is the total amount of the items passed upon and approved by the members of the committee to make up the several amounts in each section of the bill as reported to the House.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. CANDLER of Mississippi. I will.

Mr. McLAUGHLIN of Michigan. There was a reduction of \$210,680 from the estimate of the Secretary. If this bill passes in its present form, how will he know from which items the deductions were made?

Mr. CANDLER of Mississippi. The report shows the reductions made.

Mr. McLAUGHLIN of Michigan. The Secretary will have to look at the report?

Mr. CANDLER of Mississippi. Each item shows for itself.

Mr. McLAUGHLIN of Michigan. The gentleman admits it will be necessary for the Secretary of Agriculture to go to the report of the committee, does he?

Mr. CANDLER of Mississippi. It will not be necessary for him to go to the report of the committee. When he is given the lump sum he might not allot the same amount; he might reduce or increase it to meet emergencies, and I favor giving him that discretion. He will know the amount available and he will allot it to secure best results.

Mr. McLAUGHLIN of Michigan. The gentleman did proceed on the theory he was not recommending an amount beyond what he should use—

Mr. CANDLER of Mississippi. The gentleman is proceeding upon the theory that the amount which the committee approved was a sufficient amount to be used for the purposes indicated in the provisions of the bill. I ask for a vote.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported by the Clerk.

There was no objection.

The amendment was again reported.

Also the amendment to the amendment was read.

Mr. MADDEN. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MADDEN. To oppose the amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment to the amendment offered by the gentleman from Indiana [Mr. Cox].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. MEEKER. Division, Mr. Chairman.

The committee divided, and there were—ayes 35, noes 40.

Mr. HUTCHINSON. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from New Jersey demands tellers.

Mr. HUTCHINSON. Mr. Chairman, I withdraw the request.

The CHAIRMAN. The gentleman withdraws the request for tellers.

The question is on the amendment offered by the gentleman from New Jersey [Mr. HUTCHINSON].

The question was taken; and the Chair announced that the yeas seemed to have it.

Mr. CANDLER of Mississippi. Division, Mr. Chairman.

The committee divided; and there were—ayes 37, noes 40.

Mr. HUTCHINSON. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from New Jersey demands tellers. All who are in favor of taking this vote by tellers will rise and stand until counted.

The Chair proceeded to count.

Mr. MADDEN. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] makes the point of no quorum. The Chair will count. [After counting.] Eighty-six Members are present, not a quorum, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anthony	Crago	Fairchild, G. W.	Greene, Vt.
Beshlin	Crosser	Farr	Griest
Brodbeck	Currie, Mich.	Fields	Griffin
Butler	Curry, Cal.	Flood	Hamill
Byrnes, S. C.	Dale, N. Y.	Flynn	Hamilton, Mich.
Caldwell	Darrow	Focht	Hamilton, N. Y.
Campbell, Pa.	Davidson	Foster	Harrison, Miss.
Cantrill	Davis	Freeman	Haskell
Caraway	Dempsey	Fuller, Ill.	Hayes
Carew	Dent	Fuller, Mass.	Heaton
Carlin	Dewalt	Gallivan	Hefflin
Carter, Mass.	Dies	Gard	Heintz
Carter, Okla.	Dillon	Garland	Hicks
Chandler, N. Y.	Donovan	Glynn	Hilliard
Church	Dooling	Godwin, N. C.	Hood
Clark, Fla.	Drukker	Gordon	Howard
Clark, Pa.	Dunn	Gould	Humphreys
Connelly, Kans.	Edmonds	Graham, Pa.	Husted
Copley	Estopinal	Gray, Ala.	Jacoway
Costello		Gray, N. J.	James

Johnson, S. Dak.

Kahn

Kearns

Kehoe

Kelley, Mich.

Kelly, Pa.

Kettner

Key, Ohio

Kiess, Pa.

Kreider

LaGuardia

Langley

Leshner

Little

Longworth

Lufkin

Lunn

McFadden

McKenzie

McKinley

McLaughlin, Pa.

Maher

Mann

Martin

Mason

Merritt

Miller, Minn.

Montague

Moore, Pa.

Morin

Mudd

Nichols, Mich.

Norton

Oldfield

Olney

Overmyer

Paige

Parker, N. Y.

Porter

Powers

Pratt

Price

Ramsey

Rankin

Riordan

Robbins

Rose

Rowe

Rowland

Rucker

Sabath

Sanders, Ind.

Sanders, La.

Sanford

Scott, Mich.

Scott, Pa.

Scully

Sears

Sells

Sherley

Sisson

Sloan

Small

Smith, T. F.

Snell

Snook

Snyder

Steele

Stephens, Nebr.

Sterling, Pa.

Strong

Sullivan

Swift

Tague

Templeton

Tilson

Vare

Voigt

Ward

Watson, Pa.

Webb

Williams

Wilson, La.

Winslow

Wise

Woods, Iowa

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 11945, finding itself without a quorum, he had caused the roll to be called, and that he presented therewith the names of the absentees for insertion in the Journal and the Record.

The SPEAKER. Two hundred and sixty-three Members, a quorum, are present.

The committee resumed its session.

The CHAIRMAN. The gentleman from New Jersey [Mr. HUTCHINSON] and the gentleman from Mississippi [Mr. CANDLER] will take their places as tellers.

Mr. WALSH. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. The House having by previous order decided that at 5 o'clock the committee should rise and proceed to a matter under the suspension of the rules, I desire to ask that if the hour of 5 o'clock arrives while the Members are passing through the tellers, the committee would have to rise before completing the vote; or would it be completed?

The CHAIRMAN. If the point is insisted on now, the Chair will rule on it.

Mr. WALSH. I make the point that the hour of 5 o'clock has arrived.

Mr. LEVER. I make the point that it has not, by this clock over here.

Mr. WINGO. As a matter of fact, the House did not make any order at all. They agreed it would be in order.

Mr. GARRETT of Tennessee. Mr. Chairman, I believe that by consulting the Record of Saturday it will be found that in the discussion it depended on when the committee rose.

The CHAIRMAN. It is purely a technical proposition.

The gentleman from New Jersey [Mr. HUTCHINSON] and the gentleman from Mississippi [Mr. CANDLER] will take their places as tellers. The question is on the amendment offered by the gentleman from New Jersey [Mr. HUTCHINSON].

The committee again divided; and the tellers reported—ayes 92, noes 102.

So the amendment was rejected.

Mr. CANDLER of Mississippi. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," and had come to no resolution thereon.

CONTRIBUTIONS BY NATIONAL BANKS TO THE AMERICAN RED CROSS.

Mr. GLASS. Mr. Speaker, I desire to move to take from the Speaker's desk Senate bill 3911, authorizing the national banks to subscribe to the American National Red Cross, and move to suspend the rules and pass it.

Mr. MADDEN. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Virginia moves that the Senate bill 3911 be taken from the Speaker's stand and the rules suspended and the bill passed, and the gentleman from Illinois demands a second.

Mr. GLASS. I ask that the second be considered as ordered.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Virginia has 20 minutes, and the gentleman from Illinois 20.

Mr. CANNON. Mr. Speaker, I would like to ask unanimous consent, the motion having been made, to see if we can not get more than 20 minutes to a side. It is a very important proposition. I think we ought to have at least 40 minutes on a side.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks unanimous consent that the debate shall be 40 minutes to a side. Is there objection?

Mr. GLASS. Mr. Speaker, this is a self-evident proposition. It does not require a great deal of explanation, if any at all. The Members may very definitely or quickly determine whether they want to vote for it or against it, and I hope the gentleman will not suggest an extension of the time. Twenty minutes on a side, it seems to me, will be ample. Twenty minutes is more than I shall want on this side.

The SPEAKER. Is there objection?

Mr. GLASS. I object.

The SPEAKER. The gentleman from Virginia is recognized for 20 minutes. The Clerk will report the bill.

The clerk read as follows:

A bill (S. 3911) authorizing national banks to subscribe to the American National Red Cross.

Be it enacted, etc., That during the continuance of the state of war now existing it shall be lawful for any national banking association to contribute to the American National Red Cross, out of any net profits otherwise available under the law for the declaration of dividends, such sum or sums as the directors of said association shall deem expedient. Each association shall report to the Comptroller of the Currency within 10 days after the making of any such contribution the amount of such contribution and the amount of net earnings in excess of such contribution. Such report shall be attested by the president or cashier of the association in like manner as the report of the declaration of any dividend.

Sec. 2. That all sums so contributed shall be utilized by the American National Red Cross in furnishing volunteer aid to the sick and wounded of the combatant armies, the voluntary relief of the Army and Navy of the United States, and the relief and mitigation of the suffering caused by the war to people of the United States and their allied nations.

Mr. GLASS. Mr. Speaker, this bill is identical with the bill reported from the House Committee on Banking and Currency, now on the calendar. It is a perfectly self-evident proposition and requires scarcely any explanation. Ordinarily I would not favor such a bill; but in the circumstances it is a war measure, if there ever was a war measure. The bill explicitly provides that the permission granted to national banks to subscribe to the American Red Cross fund shall be only for the duration of the war.

It is needless to remind the House that the Red Cross is a non-sectarian organization. It recognizes no creed, no religion. It is merciful and humanitarian altogether in its conceptions, its functions, and activities. Anybody may belong to it; anybody may contribute to its funds and help in its work, Jew or Gentile, Protestant or Catholic, white or black, Christian or pagan. It is universal in its purpose, its scope, and activities.

I would like to draw the attention of the House for a moment to an extract from a letter by Mr. Henry P. Davison, written on the day before yesterday. Mr. Davison has just returned from the battle front, and he says:

The outstanding feature of the German method at the present time is the effort to terrorize the women, children, and old men at home. While the German troops are making their drive on the front airplanes are bombing, nearly every night, towns behind the lines, with the deliberate and declared purpose of terrorizing civilians.

The purpose of the fight behind the line is to break down the morale of the civilian population to such a point that they will importune their governments for peace. It is the most dastardly, unrighteous, cruel, devilish plan which could be conceived. It is based upon the theory that the killing of four children out of five will induce the mother to implore her government to have the war stopped, that her fifth child may live. It is carried on from the English Channel to the Swiss border and from the Swiss border to the Adriatic, and has resulted in the murder and maiming of thousands of women and children and the driving of hundreds of thousands of terror-stricken from their homes to wherever they might seek refuge.

The people in Europe were simply astounded at the news of the American Red Cross having attained a membership of 23,000,000 adults. We shall need money, and we shall need workers, more and more; and we need always to let it be known to our soldiers and the soldiers of our allies and the peoples behind their lines over in the war zone itself, that the American people are with them heart and soul.

It is to help relieve frightful conditions like that that this measure is presented. Until within the last 10 years national banks were not inhibited from contributing to any cause. The reason why we have a statute on the subject is that some banks inaugurated the reprehensible practice of contributing to party campaign funds, which did not appeal to the sense of propriety or the spirit of American fair play. The situation now is that some of the States, notably New York, Massachusetts, and other large States, have passed laws permitting State banks and trust companies to contribute to Red Cross funds. Other States do not prohibit benevolent contributions by corporations.

National banks, because of the circumstances I have cited, are expressly prohibited from making contributions. That law is

founded on good sense and was prompted by a just spirit. Ordinarily I would not be in favor of its modification in any particular. But now there is justification of the proposal. The Red Cross is not only nonsectarian, but is a quasi governmental institution. It has for its president the President of the United States. It has on its board of governors a representative from the State, War, and Navy Departments and from the Treasury and the Department of Justice. Its funds are expended under the strictest scrutiny of representatives of the United States Government, and I think I may confidently appeal to the spirit of this House and to its desire to aid any institution which is an essential and an indispensable part of the effort to win this war to suspend the rules and vote for this bill.

I reserve the balance of my time.

Mr. MEEKER. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. The gentleman reserves 14 minutes.

Mr. MEEKER. Will the gentleman yield?

Mr. GLASS. I yield for a question; yes.

Mr. MEEKER. Is it the opinion of the gentleman that the Red Cross fund can not be raised without this assistance?

Mr. GLASS. I have been assured by officials of the Red Cross that the passage of this bill will, in their judgment, mean as much as \$5,000,000 to the total of the fund that will be raised.

Mr. GORDON. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. GORDON. Does that mean that contributions to the amount of \$5,000,000 will be enforced from the persons who otherwise would not contribute?

Mr. GLASS. I do not think contributions will be "enforced," since this is a permissive proposition. If the stockholders do not desire the directors of banks to make the contribution, they have it in their power to prevent the contribution.

Mr. GORDON. How would they prevent it?

Mr. GLASS. By prohibiting the board of directors from making it.

Mr. GORDON. How can a minority stockholder prevent the directors from making the contribution?

Mr. GLASS. A minority stockholder could not. A minority stockholder in this, as in all matters covering banking business, would have to submit to the majority.

Mr. MADDEN. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. MADDEN. What is meant by this language in the bill, pages 1 and 2:

Each association shall report to the Comptroller of the Currency within 10 days after the making of any such contribution the amount of such contribution and the amount of net earnings in excess of such contribution. Such report shall be attested by the president or cashier of the association in like manner as the report of the declaration of any dividend.

Mr. GLASS. That means additional Government scrutiny, that is all. Mr. Speaker, I reserve the balance of my time.

Mr. MADDEN. So the Comptroller of the Currency is going to direct the contributions of the banks. Mr. Speaker, I yield the 20 minutes I am entitled to to the gentleman from Vermont [Mr. DALE], a member of the committee.

Mr. DALE of Vermont. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I think there is no Member within the sound of my voice who does not desire to do everything that can be properly done to carry on this war. In the first place we can by law tax without limit; we can tax corporations, national banks, State banks, trust companies, and all corporations, State and National, without limit. It is a political power that we can use. Now, I would cheerfully vote at this time, or at any future time, to support the Red Cross by direct contributions or appropriations from the Treasury, and that would cover 110,000,000 of people to fill the Treasury of the United States.

I know it is not a gracious thing; it is not a thing that I care to do, get up and oppose this bill without full consideration. But let us analyze it a little bit. I have had recourse to the report of the Comptroller of the Currency. The number of shareholders in national banks is 459,610. That was the number in the last report that was made. Of those there are 138,204 women. I call your attention to the fact that there are many small and large stockholders across the water in the United States Army on the other side.

The national banks have a capital of something over \$1,000,000,000. The State banks have a larger capital than have the national banks. I mean the State banks, trust companies, and loan companies. This legislation does not touch them. The gentleman from Virginia says that some of the States have authorized such contributions.

Now, what does this bill do. The national banks are scattered all over the country, but the great banks are in the cities. There are some shares of stock in cities held by individuals in other cities and elsewhere in the United States.

I want to say that the five directors on the average in the country banks own a very small minority of the stock. They are selected because they are generally men of influence in the little town or city, and they come in contact with people, and are supposed to know how to run a bank.

The gentleman from Virginia said it was not prohibited to make contributions for political purposes or church purposes before the amendment to the law.

Mr. GLASS. I did not catch what the gentleman said.

Mr. CANNON. The gentleman from Virginia said it was not prohibited prior to the amendment of the national banking act to make contributions for political purposes or for other purposes if they saw fit. Now, while that is true, they were not prohibited by express law; there never was a contribution made for political purposes by a national bank or for religious purposes but what the people who paid the money could be compelled to pay it back, because it was illegal all the time.

Mr. STERLING of Illinois. Does the gentleman limit it to national banks? Is not that true with reference to State banks?

Mr. CANNON. I understand it is true. It is true in the State of Illinois. But there are a great many stockholders, nearly half a million in the national banks alone—widows, small trust funds, scattered here and there, farmers, little shopkeepers—and, of course, they did not do much suing to recover the amounts that were illegally given for political, religious, or other purposes not connected with the bank; they did not want to go through the litigation, and, perhaps, go to the Supreme Court of the United States. It became a scandal, and it was from a political standpoint very largely that that scandal was cut out by the roots. I just want to add this: Take it to yourselves, take your little banks, your farmers, representing what is called substantial rural parts of the country—

Mr. CALDWELL. Mr. Speaker, will the gentleman yield?

Mr. CANNON. Yes.

Mr. CALDWELL. The gentleman, out of the length of his years of service and wisdom, says that this was a great scandal. Would he mind stating in what campaign the greatest scandal—

Mr. CANNON. Oh, I do not recollect what it was, and I do not care. If it was the gentleman's party, his party participated, and if it was my party, the criticism would apply just the same. Let me say to the gentleman that is a little peanuty. [Laughter.] I want to see to it that the widow, the small trust fund, the small fellow, can not be legally deprived of his property by putting it into the power of a board of directors, owning themselves less than the majority of the stock, to spend his property, without his consent.

Mr. GORDON. Or give it away.

Mr. CANNON. Or give it away. When I have stated that I think I have stated substantially the whole thing. I might talk an hour about it, but I wanted to put it to you. If you want money, why do not you let Ford, with his great holdings in banks, as I am told; why do not you let Rockefeller and his great holdings in banks and in corporations; why do not you let the great holdings in the United States Steel be contributed by authorizing the board of directors in these great corporations throughout the United States, with their ten—yes; twenty and thirty—billions of dollars, contribute from their earnings? All of the great holdings and the small holdings in corporations, States or United States, can be reached by law to get revenue for the Treasury of the United States to carry on the war, including the support of the Red Cross.

Mr. GLASS. Because Congress has no authority, I may say, to authorize them, but as a matter of fact they have made these contributions, and Mr. Justice Hughes and Judge Morgan J. O'Brien said they are perfectly legal.

Mr. CANNON. Oh, Mr. Justice Hughes—and who is the other gentleman?

Mr. GLASS. Mr. Justice Hughes is sufficient.

Mr. CANNON. I do not know whether Mr. Justice Hughes said it or not. He never said it on the bench. [Applause.]

Mr. GLASS. Does the gentleman mean to intimate that Mr. Justice Hughes said one thing on the bench and another off it?

Mr. CANNON. I am neither defending nor attacking Mr. ex-Judge Hughes, but I say it is not fair to let five directors in a little bank or in a considerable bank, with all of the national banks having a half million stockholders—it is not fair to say that those directors can use the money that belongs to the trust fund, to the widows, and contribute it to any purpose. I believe in protecting the smaller holder.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CANNON. Give me half a minute more.

Mr. DALE of Vermont. Mr. Speaker, I yield one minute more to the gentleman from Illinois.

Mr. CANNON. One minute more. I understand we are to have a revenue bill yet this session, and if this contribution is not made freely in the United States up to \$100,000,000 or to \$200,000,000, or any other sum, for the Red Cross, that it needs in performing its function during this war, then I stand ready to vote the money directly from the Treasury. Having said this much, I shall resume my seat, because my time is up. [Applause.]

Mr. DALE of Vermont. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, patriotic? Yes. No more patriotic work is done by any people in all the world than is done by the Red Cross; but why not let the individual citizens of America contribute to the funds of the Red Cross? Why not let the men and women of America, who are willing to contribute, contribute their own funds? Why authorize the national banks of America to contribute the funds of the individuals who own these banks? Why should the Comptroller of the Currency require a report of contributions by national banks to the Red Cross? I do not hold myself responsible for the statement, but I understand that the Comptroller of the Currency requested the national banks of America to contribute to the Red Cross fund, and that many of these banks refused because they were not permitted to do so under the law, and now a law is proposed, coming from the Comptroller of the Currency, to require the banks to do the thing which they refused to do on his request. Every patriotic American is proud if he is able to contribute to the Red Cross fund. Then, why take the right away from him and hand it over to a board of directors who are elected to manage his business? Do you want to give the individual stockholders of the banks an opportunity to say that they have already contributed through their banks and therefore ought not to be called upon for further contributions? That is what this law will do. Instead of increasing the contributions to the Red Cross, the enactment of this law will prevent contributions to the fund, because it will give to every man who is a stockholder in a national bank the excuse that his bank has already made the contribution. [Applause.] I am willing to contribute to the Red Cross fund every time I can, but I do not want to give the powers to the directors of the banks in which I am interested to contribute of the funds that belong to me in their banks. You are making a mistake. You have no right to give Government sanction to a thing of that sort, and you are doing harm instead of good and preventing the collection of a large fund for a patriotic work by preventing patriotic citizens from doing the thing which they want to do and which you by this legislation prevent them from doing.

Mr. BRUMBAUGH. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I have not the time. All I have to say is that this legislation is uncalled for, unjustified by the facts. Everybody in America is glad to help the Red Cross. Why not give them the opportunity; why not depend upon their patriotic fervor to make the contributions which the Red Cross needs? [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DALE of Vermont. Mr. Speaker, I yield three minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker and gentlemen, I am not arguing against the collection of money to aid the Red Cross, but for the Congress of the United States to attempt to authorize the directors of a corporation to give other people's money away is bad legislation. [Applause.] There is no occasion for it; there is no justification for it. No matter whether this bill becomes a law or not, as a director in a national bank I would not vote away the stockholders' money without being authorized by every stockholder of that bank. I do not think any other man has any justification in voting other people's money away. If you by legislation can authorize the directors of a national bank to vote away the fund of that bank by donation, you can give authority to any set of directors representing any corporate organization of this country. The Federal Government has no control over the funds of a national bank further than to see to it that the funds of that bank are used to protect the depositors in that bank. That is all the authority the Federal Government has over those things.

Mr. BRUMBAUGH. Will the gentleman yield?

Mr. FORDNEY. Yes, briefly; I have only three minutes.

Mr. BRUMBAUGH. I will be brief. I want to state how my city has paid its quota by the citizens voluntarily organizing a war-chest fund, where 95,000 people subscribed \$3,000,000

in five days, and the day we got the report of what the quota was we sent a check in full. I propose to present our plan to the House at the first opportunity—

Mr. FORDNEY. That is too long a question; I have only three minutes, and I could not answer that in my time. But let me tell you, I am ready to give my share to the aid of the Red Cross. I have been aiding it, and I will continue to do so, but I do not want you to authorize a board of directors to give my money away without my consent. Another matter, whether you pass this law or not, if you do pass this law I firmly believe—I am not a lawyer, but that, to me, is but horse sense—that any stockholder in a bank could restrain by injunction the directors of the bank from giving away their money. Why, it is the biggest piece of folly, in my opinion, that has been presented to the Congress of the United States. Nobody refuses to give to the Red Cross who can afford it, but, as the gentleman from Illinois [Mr. MADDEN] well said, if you pass this law, and a national bank does subscribe to the Red Cross fund, you have given the stockholders an argument to say, "I have given through a national bank, I am a stockholder, and I will give no more." I am opposed to this bill.

The SPEAKER. The time of the gentleman has expired.

Mr. DALE of Vermont. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. GORDON].

The SPEAKER. The gentleman has only two minutes remaining. The gentleman from Ohio is recognized for two minutes.

Mr. GORDON. Mr. Speaker, this is a bill to relieve from criminal responsibility directors in national banks who give away the funds of the bank. It does not, in my judgment, legally authorize the directors to do that thing. It is proposed to authorize these bank directors to levy upon unwilling men, or upon men who have already donated toward a very worthy purpose all the money they feel they are able to donate, to coerce and compel them to pay more. It is either that or it is nothing. In legal effect it does relieve the directors from Federal prosecution under the law which was passed some years ago by Congress making it a crime for men in the capacity of directors to give away the funds of the stockholders for whom they are trustees. I wholly disagree with the gentleman from Virginia [Mr. GLASS] in his statement that every banking corporation or any other private corporation can give to any purpose, however worthy, the funds of the stockholders. It is an ultra vires act; it is unlawful; and the money so donated can be recovered back by a private suit of an objecting stockholder. The fact that he can not afford to bring that suit, because he would be penalized in expenses for lawyers' fees a great deal more than his share of the enforced contribution, will illustrate the injustice of such a statute as this. Widows and orphans who have stock in these banking corporations can be forced by the directors to contribute. Imbeciles, idiots, and lunatics who are under guardianship where the guardian is the holder in trust of stock that came by gift or descent, perhaps, to his wards are forced to contribute, and that guardian would be subject to removal and his accounts would be corrected and his bond held liable if he made a donation of his ward's funds for any purpose, however worthy. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GARD. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. GILLET].

Mr. GILLET. Mr. Speaker, I thank the gentleman for his courtesy. I do not believe anybody is more interested in the Red Cross than I am. I was one of the original incorporators of that corporation. I have been one ever since. I am always eager, as every man here is, to do everything we can for the magnificent work it is accomplishing; but, Mr. Speaker, I do not like to see the great popularity of that superb organization used to break down one of the most wholesome principles which has been established in recent years in the United States. [Applause.]

I think one of the healthiest growths in the public conscience of recent years has been that the directors of corporations are trustees and that they have no right to give away their stockholders' money; and I am unwilling, even for such a splendid purpose as this, that the bank directors should be given the right to give away money which does not belong to them, and that they should have the glory and the credit of a generosity which belongs to their stockholders.

The gentleman says that certain States have authorized such acts. My State of Massachusetts has authorized corporations to give away funds for war purposes. But the bill provides that any stockholder can, by writing, express his opposition to such an act, and then it shall not apply to him. That preserves the rights of individuals. Why not insert such a provision

here? But for Congress to come forward and suddenly contradict the policy which has been settled and growing among the people for so many years, and use the glorious work of the Red Cross to excuse it, is, I think, a mistaken and an injurious policy. Let us vote the money directly from the Treasury, if it is necessary as a war measure, but let us not permit officers of corporations to give away what does not belong to them. It is very hard to vote against such a bill. The fear of being accused of lukewarmness toward the Red Cross will compel many to vote for it who thoroughly disapprove the principle. Disagreeable as the duty is, I shall not shirk it.

Mr. GLASS. Mr. Speaker, perhaps I ought not to say so, but I take leave to observe that no reason has been presented in the discussion that has at all altered my view of the proposition. I have no doubt the gentleman from Ohio [Mr. GORDON] is a sound constitutional lawyer. Certainly he knows better than I, who am not a lawyer at all, whether it is "criminal" or wise to pass this bill; but I have, within the past two days, read an exceedingly well-considered opinion by former Justice Hughes on the subject, and likewise a clear, cogent argument by Judge Morgan J. O'Brien, of the Supreme Court of New York State, and I venture, at least, to agree with them in the belief that it would be legal, if Congress shall pass an act to make it so, for national banks, as it is now for corporations generally, to aid an essential enterprise in a great war which has put at stake the Nation's very existence. It is not as if we were permitting banks to contribute their funds merely to "a worthy cause," but to an indispensable arm of the military service, potentially effective as a part of the scheme to win a war that involves the life of these very corporations and the value of their property.

I have in the files of the Banking and Currency Committee, received within the last 10 days, scores of letters from national and State banks protesting against the proposition to insure, in a limited way, the deposits of those who put money in the banks. I have letters from hundreds of State banks and trust companies protesting against the so-called Phelan bill, which this House has passed, giving national banks fiduciary powers and trust functions, but I have not in the files of the committee a single protest from a single stockholder in a single national bank in the United States against this proposition to permit national banks to contribute to the Red Cross fund. That is, as it seems to me, conclusive as to the feeling on the subject.

Mr. GORDON. Maybe they have contributed all they are able to.

Mr. GLASS. Maybe they are like some others who have contributed individually, but are willing to contribute collectively, also. The gentleman from Illinois [Mr. MADDEN] said that he had contributed already and was willing to contribute all that he could, but protested against the contribution of banks in which he has an interest.

May I be permitted to say that I have contributed not all I can contribute, perhaps; I doubt if any of us ever contribute all we really can. But I am willing for the banks in which I am interested to contribute every farthing of my profits in them to the Red Cross fund, or any other fund that seems essential to win this war. And if the stockholders or the widows and orphans or imbeciles have not protested—

Mr. GORDON. They could not. They are under guardianship.

Mr. GLASS. Why should gentlemen here protest for them?

Mr. Speaker, the American Red Cross for the effective purposes of this war is an essential institution. It ought to be supported in every conceivable way. The banks, and I say it confidently, because there has been no protest from any banking source, are willing to do this thing, and Congress, therefore, should not object to its being done. The only bank officials, the only bank stockholders, that I know anything of, who have protested, have been the gentlemen who have spoken against the bill here to-day.

Mr. GORDON. I will say to the gentleman that I am not a stockholder in any national bank. I do not own a cent of stock.

Mr. GLASS. Well, I am; and I am willing that every dollar of my profits should be appropriated to the Red Cross, if it is essential, aside from my individual subscription. When men are giving their sons to fight and, perhaps, die for their country, it seems to me unfortunate that gentlemen should get up here and protest against a bank being permitted to make a contribution to the Red Cross.

I hope it will be the judgment of this body, as it was of the other body, that banks, for the period of the war, shall be authorized, if they please to do so—because there is no compulsion about it—to subscribe to this fund out of the profits of the institutions. And then if there is any stockholder who wants to

split hairs, or whose greed or penchant for technical dispute shall lead him to protest, let him go to the officers of the bank—

Mr. PURNELL. Does the gentleman believe the success of the Red Cross drive depends upon contributions from these banks?

Mr. GLASS. I have stated to the House that officials of the Red Cross Society have said to me that the passage of this bill to-day involves, in their judgment, \$5,000,000 to the general fund of the Red Cross.

Mr. MEEKER. Will the gentleman yield?

Mr. GLASS. I will.

Mr. MEEKER. He does not mean to say that the people will not put up the \$5,000,000 if it is not procured in this way?

Mr. GLASS. I have said that there will possibly be a difference of \$5,000,000 in the funds of the Red Cross if this bill does not pass. The American people are generous. The stockholders of the national banks are generous. I do not believe you could get 3 per cent of them to petition Congress not to pass this bill.

Mr. GILLET. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. GILLET. Why would not the gentleman then put in an amendment such as was put in the Massachusetts statute, saying that if the stockholder objects his money shall not be given away by the directors?

Mr. GLASS. If there is any stockholder of a bank who is close-fisted enough to object to the paltry contribution which his percentage would represent, when the majority of the stockholders feel it is essential to make the contribution, I would not take the trouble to relieve that fellow by law.

Mr. GREENE of Vermont. But suppose the share of stock held by this fellow you had the slight opinion of was that of a poor woman, and that it was her only estate in life?

Mr. GLASS. What would be the percentage of any poor woman who owned \$100 in a national bank? It would be 10 cents.

Mr. GREENE of Vermont. It is not a question of percentage. It is a question of principle. [Applause.]

Mr. GLASS. It is "a question of principle" that never was put into statutory law until 40 years after national banks were established, and only then because of scandalous abuses by politicians on banking boards. It was not such a great "principle" during that long period as to be regarded with deep concern or apprehension, and all this talk about "widows and orphans" is to prop a lame case. A widow with \$100 in a national bank would have to pay about 10 cents, and she would pay it, too, with as much cheerfulness as some of the gentlemen who are protesting in behalf of the widows. [Applause.]

The SPEAKER. The time of the gentleman from Virginia has expired. All time has expired. The question is on suspending the rules and passing the bill.

The question was taken.

The SPEAKER. In the judgment of the Chair—

Mr. GLASS. Mr. Speaker, I ask for a roll call.

The SPEAKER. The gentleman from Virginia demands a roll call. Those who desire a roll call on this bill will rise and stand until they are counted. [After counting.] Evidently a sufficient number have risen. The Clerk will call the roll. Those in favor of suspending the rules and passing the bill will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 194, nays 70, answered "present" 2, not voting 164, as follows:

YEAS—194.

Alexander	Candler, Miss.	Fairchild, D. L.	Hull, Tenn.
Almon	Carlin	Ferris	Igoe
Anderson	Classon	Fields	Ireland
Aswell	Cleary	Fisher	Johnson, Ky.
Austin	Collier	Francis	Jones
Ayres	Connally, Tex.	Frear	Juul
Baer	Cooper, Ohio	French	Keating
Bankhead	Cooper, W. Va.	Gandy	Kennedy, Iowa
Barkley	Cox	Garrett, Tex.	Kennedy, R. I.
Barnhart	Cramton	Glass	Kincheloc
Beakes	Crisp	Goodwin, Ark.	King
Bell	Dallinger	Graham, Ill.	Kinkaid
Black	Decker	Gregg	Knudson
Blackmon	Delaney	Hadley	Larsen
Bland	Denison	Hamilton, N. Y.	Lazaro
Blanton	Denton	Hamlin	Lee, Cal.
Booher	Dickinson	Hardy	Lee, Ga.
Bowers	Dixon	Harrison, Miss.	Linthicum
Brand	Domineck	Harrison, Va.	Littlepage
Britten	Doolittle	Hastings	Lobeck
Brumbaugh	Doughton	London	Loneragan
Buchanan	Dowell	Hayden	Lunn
Burnett	Drane	Helm	McAndrews
Ryones, S. C.	Dupré	Helvering	McArthur
Ryons, Tenn.	Eagle	Hensley	McClintic
Caldwell	Emerson	Holland	McCulloch
Campbell, Kans.	Esch	Houston	

McKeown	Park	Siegel	Voigt
Magee	Peters	Sims	Waldow
Mansfield	Phelan	Sinnott	Walker
Martin	Platt	Snell	Walton
Mays	Quinn	Smith, Mich.	Watkins
Miller, Wash.	Ragsdale	Smith, C. B.	Watson, Va.
Moon	Rainey, H. T.	Steagall	Weaver
Morgan	Rainey, J. W.	Stedman	Welling
Mott	Ramsayer	Stephens, Miss.	Welty
Mudd	Randall	Stevenson	Whaley
Neely	Rayburn	Stiness	Wheeler
Nelson	Reed	Summers	White, Me.
Nicholls, S. C.	Roberts	Sweet	White, Ohio
Nichols, Mich.	Robinson	Switzer	Wilson, Tex.
Nolan	Romjue	Talbott	Wingo
Norton	Rubey	Taylor, Ark.	Woodyard
Oliver, Ala.	Russell	Taylor, Colo.	Wright
Oliver, N. Y.	Saunders, Va.	Thomas	Young, N. Dak.
Olney	Shackelford	Thompson	Young, Tex.
Osborne	Shallenberger	Tillman	Zihman
O'Shaunessy	Sherwood	Van Dyke	
Overstreet	Shouse	Vinson	

NAYS—70.

Anthony	Freeman	Lehbach	Slayden
Ashbrook	Gallagher	Lundeen	Slemp
Bacharach	Garner	McKenzie	Stafford
Borland	Garrett, Tenn.	McLaughlin, Mich.	Sterling, Ill.
Browne	Gillet	McLemore	Temple
Browning	Glynn	Madden	Timberlake
Burroughs	Good	Mapes	Tinkham
Cannon	Goodall	Mecker	Towner
Dale, Vt.	Gordon	Moore, Ind.	Treadway
Dyer	Green, Iowa	Parker, N. J.	Vestal
Eagan	Greene, Mass.	Pou	Volstead
Elliot	Greene, Vt.	Purnell	Walsh
Ellsworth	Hersey	Raker	Ward
Easton	Hollingsworth	Reavis	Wason
Fairfield	Hutchinson	Rogers	Wilson, Ill.
Fess	Kitchin	Sanders, Ind.	Wood, Ind.
Fordney	Kraus	Schall	
Foss	La Follette	Scott, Iowa	

ANSWERED "PRESENT" 2.

Chandler, Okla. Rodenberg

NOT VOTING—164.

Beshlin	Evans	Kehoe	Rose
Brodbeck	Fairchild, G. W.	Kelley, Mich.	Rouse
Butler	Farr	Kelly, Pa.	Rowe
Campbell, Pa.	Flood	Kettner	Rowland
Cantrill	Flynn	Key, Ohio	Rucker
Caraway	Focht	Kiess, Pa.	Sabath
Carew	Foster	Kreider	Sanders, La.
Carter, Mass.	Fuller, Ill.	LaGuardia	Sanders, N. Y.
Carter, Okla.	Fuller, Mass.	Langley	Sanford
Cary	Gallivan	Leshner	Scott, Mich.
Chandler, N. Y.	Gard	Lever	Scott, Pa.
Church	Garland	Little	Scully
Clark, Fla.	Godwin, N. C.	Longworth	Sears
Clark, Pa.	Goud	Lufkin	Sells
Claypool	Graham, Pa.	McCormick	Sherley
Coady	Gray, Ala.	McFadden	Sisson
Connely, Kans.	Gray, N. J.	McKinley	Sloan
Cooper, Wis.	Griest	McLaughlin, Pa.	Smith, Idaho
Copley	Griffin	Maher	Smith, T. F.
Costello	Hamill	Mann	Snell
Crago	Hamilton, Mich.	Mason	Snook
Crosser	Haskell	Merritt	Snyder
Currie, Mich.	Haugen	Miller, Minn.	Steele
Curry, Cal.	Hayes	Mondell	Steenerson
Dale, N. Y.	Heaton	Montague	Stephens, Nebr.
Darrow	Heflin	Moore, Pa.	Sterling, Pa.
Davidson	Heintz	Morin	Strong
Davis	Hicks	Oldfield	Sullivan
Dempsey	Hilliard	Overmyer	Swift
Dent	Hood	Padgett	Tague
Dewalt	Howard	Paige	Templeton
Dies	Huddleston	Parker, N. Y.	Tilson
Dill	Hull, Iowa	Polk	Vare
Dillon	Humphreys	Porter	Venable
Donovan	Husted	Powers	Watson, Pa.
Dooling	Jacoway	Pratt	Webb
Doremus	James	Price	Williams
Drukker	Johnson, S. Dak.	Ramsey	Wilson, La.
Dunn	Johnson, Wash.	Rankin	Wirslow
Edmonds	Kahn	Riordan	Wise
Estopinal	Kearns	Robbins	Woods, Iowa

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. PRICE with Mr. ROWLAND.

Mr. GRIFFIN with Mr. GRIEST.

Mr. SCULLY with Mr. ROSE.

Mr. COADY with Mr. PORTER.

Mr. JACOWAY with Mr. HAYES.

Mr. KETTNER with Mr. LITTLE.

Mr. STEPHENS of Nebraska with Mr. GEORGE W. FAIRCHILD.

Mr. HAMILL with Mr. SWIFT.

Mr. KELLY of Pennsylvania with Mr. JAMES.

Mr. SEARS with Mr. STRONG.

Mr. HOOD with Mr. HEATON.

Mr. SANDERS of Louisiana with Mr. RODENBERG.

Mr. KEY of Ohio with Mr. HICKS.

Mr. DENT with Mr. KAHN.

Mr. FOSTER with Mr. MCKINLEY.

Mr. SABATH with Mr. CHANDLER of Oklahoma.
 Mr. DILL with Mr. JOHNSON of Washington.
 Mr. HILLIARD with Mr. DUNN.
 Mr. DEWALT with Mr. COOPER of Wisconsin.
 Mr. BESHLIN with Mr. HAUGEN.
 Mr. BRODBECK with Mr. GARLAND.
 Mr. CAMPBELL of Pennsylvania with Mr. LANGLEY.
 Mr. CANTRILL with Mr. CARTER of Massachusetts.
 Mr. CARAWAY with Mr. WATSON of Pennsylvania.
 Mr. CROSSER with Mr. TILSON.
 Mr. CLARK of Florida with Mr. STEENERSON.
 Mr. WISE with Mr. COPLEY.
 Mr. VENABLE with Mr. WILLIAMS.
 Mr. CAREW with Mr. COSTELLO.
 Mr. TAGUE with Mr. DARROW.
 Mr. CONNELLY of Kansas with Mr. CLARK of Pennsylvania.
 Mr. WILSON of Louisiana with Mr. CURRIE of Michigan.
 Mr. SULLIVAN with Mr. DAVIDSON.
 Mr. CARTER of Oklahoma with Mr. CRAIG.
 Mr. DALE of New York with Mr. DILLON.
 Mr. CLAYPOOL with Mr. CURRY of California.
 Mr. WEBB with Mr. EDMONDS.
 Mr. CHURCH with Mr. DEMPSEY.
 Mr. STERLING of Pennsylvania with Mr. FOCHT.
 Mr. DIES with Mr. FULLER of Illinois.
 Mr. STEELE with Mr. BUTLER.
 Mr. DONOVAN with Mr. DAVIS.
 Mr. ESTOPINAL with Mr. FARE.
 Mr. FLOOD with Mr. WOODS of Iowa.
 Mr. DOOLING with Mr. FULLER of Massachusetts.
 Mr. EVANS with Mr. PAIGE.
 Mr. FLYNN with Mr. PARKER of New York.
 Mr. DOREMUS with Mr. PRATT.
 Mr. GALLIVAN with Mr. RAMSEY.
 Mr. PADGETT with Miss RANKIN.
 Mr. RIORDAN with Mr. ROBBINS.
 Mr. GARD with Mr. SANDERS of New York.
 Mr. POLK with Mr. SCOTT of Michigan.
 Mr. ROUSE with Mr. ROWE.
 Mr. GODWIN of North Carolina with Mr. SLOAN.
 Mr. SHERLEY with Mr. WINSLOW.
 Mr. SISSON with Mr. GOULD.
 Mr. THOMAS F. SMITH with Mr. GRAHAM of Pennsylvania.
 Mr. SNOOK with Mr. GRAY of New Jersey.
 Mr. GRAY of Alabama with Mr. HAMILTON of Michigan.
 Mr. HOWARD with Mr. HASKELL.
 Mr. HUDDLESTON with Mr. HUSTED.
 Mr. HUMPHREYS with Mr. KEARNS.
 Mr. KEHOE with Mr. KELLEY of Michigan.
 Mr. LESHER with Mr. KIESS of Pennsylvania.
 Mr. LEVER with Mr. KREIDER.
 Mr. MAHER with Mr. LONGWORTH.
 Mr. MONTAGUE with Mr. LUKIN.
 Mr. NEELY with Mr. MCFADDEN.
 Mr. OLDFIELD with Mr. MEERITT.
 Mr. OVERMYER with Mr. MILLER of Minnesota.
 Mr. RUCKER with Mr. MOORE of Pennsylvania.
 On the vote:
 Mr. HEFLIN (for) with Mr. SANFORD (against).

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 4194. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3935. An act to prohibit the sale, manufacture, and importation of intoxicating liquors in the Territory of Hawaii during the period of the war, except as hereinafter provided.

EXTENSION OF REMARKS.

By unanimous consent, the following Members were given leave to extend their remarks in the RECORD: Mr. GLASS, Mr. CALDWELL, Mr. MADDEN, Mr. BELL, Mr. SMITH of Michigan, Mr. CANNON, Mr. SIEGEL, and Mr. GORDON.

THE JOURNAL.

Mr. MOON. Mr. Speaker, I move to correct the Journal of Saturday's proceedings on page 6742 by striking out the language and inserting other language which I send to the desk.

The Clerk read as follows:

Mr. MADDEN moved that, notwithstanding the disagreement of the House to all Senate amendments, the conferees be instructed to urge the elimination of the following language from the amendment of the Senate No. 52: "the annual salaries fixed by law for clerks in first and second class post offices and letter carriers in the City Delivery Service, railway postal clerks of grade 1 to grade 10, inclusive, shall be increased \$200 per annum"; and to insist upon the insertion in lieu thereof of the following language:

"That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows: First grade, salary \$1,000; second grade, salary \$1,100; third grade, salary \$1,200; fourth grade, salary \$1,300; fifth grade, salary \$1,400; sixth grade, salary \$1,500. Clerks and carriers shall be promoted successively to the sixth grade: *Provided*, That during the fiscal year ending June 30, 1919, clerks in first and second class post offices and letter carriers in the City Delivery Service who are in grades 2, 3, 4, 5, and 6, under the act of March 2, 1907, as amended, shall pass automatically from such grades and the salaries they receive thereunder to the new grades 1, 2, 3, 4, and 5, respectively, with the salaries provided for such grades in this act.

"That the salaries of railway postal clerks shall be graded as follows: Grade 1 at \$1,100, grade 2 at \$1,200, grade 3 at \$1,300, grade 4 at \$1,400, grade 5 at \$1,500, grade 6 at \$1,600, grade 7 at \$1,700, grade 8 at \$1,800, grade 9 at \$1,900, grade 10 at \$2,000.

"The Postmaster General shall classify and fix salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and of establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows:

"Class A, \$1,100 to \$1,400; class B, \$1,100 to \$1,500; and Class C, \$1,100 to \$1,700. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary, and fix their salaries within the grades provided by law without regard to the classification of railway post offices: *Provided*, That railway postal clerks shall pass automatically from the grades they are in and the salaries they receive under the act of August 24, 1912, to the corresponding grade, with salaries provided for in this act."

during their consideration of said Senate amendment No. 52, to all of which the House disagreed.

The SPEAKER. The question is on making the correction as stated.

The question was taken, and the motion was agreed to.

The Journal of Saturday's proceedings as amended was approved.

On motion of Mr. GLASS, the bill (H. R. 9457) authorizing national banks to make contributions to the American National Red Cross was laid on the table.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 19 minutes p. m.) the House adjourned until to-morrow, Tuesday, May 21, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the chairman of the Federal Trade Commission submitting estimate of appropriation for the service of the fiscal year ending June 30, 1919 (H. Doc. No. 1113); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Sterling Basin, at Greenport, N. Y., with a view to securing adequate width and depth (H. Doc. No. 1114); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 3799) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendments, accompanied by a report (No. 579), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MASON: A bill (H. R. 12190) to punish mob violence directed against persons charged with violation of the laws of the United States; to the Committee on the Judiciary.

By Mr. HUDDLESTON: A bill (H. R. 12191) to provide for free carriage of first-class mail matter to and from persons in the Army and Navy of the United States; to the Committee on the Post Office and Post Roads.

By Mr. NORTON: A bill (H. R. 12192) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products; to the Committee on Mines and Mining.

By Mr. SMITH of Michigan: A bill (H. R. 12193) to punish and fix the penalty for high crimes, offenses, and misdemeanors against the welfare, safety, and dignity of the Nation; to the Committee on the Judiciary.

By Mr. PADGETT: A bill (H. R. 12194) to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes; to the Committee on Naval Affairs.

By Mr. PLATT: Joint resolution (H. J. Res. 293) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. ALEXANDER: Resolution (H. Res. 353) for the consideration of H. R. 12099; to the Committee on Rules.

Also, resolution (H. Res. 354) for the consideration of H. R. 12100; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARLIN: A bill (H. R. 12195) granting an increase of pension to William H. Ross; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 12196) granting an increase of pension to Ambrose White; to the Committee on Pensions.

By Mr. CLAYPOOL: A bill (H. R. 12197) granting an increase of pension to Augustus Scherr; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 12198) granting an increase of pension to William P. Hughes; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 12199) granting a pension to Mary J. McKay; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 12200) granting an increase of pension to John Coss; to the Committee on Invalid Pensions.

By Mr. LONERGAN: A bill (H. R. 12201) granting a pension to Lucy A. Gardner; to the Committee on Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 12202) granting an increase of pension to David Hofer, alias John Burkhardt; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 12203) granting a pension to Loretah B. Farlee; to the Committee on Pensions.

Also, a bill (H. R. 12204) granting a pension to Kate A. Wallace; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12205) granting a pension to Mary E. Beall; to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 12206) granting a pension to David Evans; to the Committee on Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 12207) for the relief of James F. Ayers; to the Committee on Claims.

By Mr. ZIHLMAN: A bill (H. R. 12208) granting an increase of pension to Henry G. Gardner; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. EMERSON: Resolution of the churches of Plymouth Rock Association, pledging loyalty; to the Committee on Military Affairs.

By Mr. HILLIARD: Petition of W. M. Duff and 37 others, all of Denver, Colo., urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. KELLEY of Michigan: Petition of the Presbyterian Church of Northville, Mich., in favor of repeal of postal zone system of second-class mail matter; to the Committee on Ways and Means.

Also, petition of the Ladies' Round Table Club, of Pontiac, Mich., in favor of repeal of postal zone system of second-class mail matter; to the Committee on Ways and Means.

By Mr. KNUTSON: Petition of residents of Beltrami County, Minn., favoring fixing the prices of wheat substitutes; to the Committee on Agriculture.

By Mr. MERRITT: Petition of the Hartford (Conn.) Clearing House Association, protesting against the passage of Senate bill 4426; to the Committee on Banking and Currency.

By Mr. STEENERSON: Petition of Rev. J. M. Sundheim, president of the northern Minnesota district, the Norwegian Lutheran Church of America, protesting against the enactment into law of House bill 5712; to the Committee on the Post Office and Post Roads.

By Mr. TAGUE: Petition of the Massachusetts Society for the Prevention of Cruelty to Animals, protesting against the proposed postal increases for publishers effective July 1; to the Committee on Ways and Means.

By Mr. TIMBERLAKE: Petition of the El Paso County (Colo.) Retail Grocers' and Butchers' Association, asking that prices on wheat substitutes be fixed; to the Committee on Agriculture.

SENATE.

TUESDAY, May 21, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we bless Thee that in all the long and weary and tragic months through which we have come, as we have pressed forward in the performance of our high mission, we have had no question about the pureness of Thy motive, the unselfishness of our design, and the full and free committal of ourselves to the rights of men. We believe that Thou hast been leading us on. We pray that Thou wilt continue to lead us. Bless those who represent us on the bloody field of battle, and those who guide in the affairs of nations, and those who are delivering their strength of means and life to the great end of establishing peace and righteousness among men. Bless us this day in the performance of our duty. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore assumed the chair.

The Journal of the proceedings of the legislative day of Friday, May 17, 1918, was read and approved.

ENROLLED BILLS SIGNED.

The PRESIDENT pro tempore announced his signature to the following enrolled bills which had previously been signed by the Speaker of the House:

S. 2123. An act to regulate the practice of podiatry in the District of Columbia;

S. 4409. An act to amend section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes";

H. R. 8696. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919; and

H. R. 11628. An act to amend an act entitled "An act to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys of the District of Columbia," approved September 25, 1914.

PETITIONS AND MEMORIALS.

Mr. STERLING. Mr. President, a few days ago I received and had read into the RECORD an editorial from a newspaper in a neighboring State to that of South Dakota relative to the subscriptions of the State for the third liberty loan. I now send to the desk a telegram with reference to the subscriptions to the second Red Cross war fund, which I ask may be read.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

SIoux FALLS, S. DAK., May 20, 1918.

Hon. THOMAS STERLING,
Washington, D. C.:
With every city, village, and township under perfect organization, drive for second Red Cross war fund was begun this morning at 8 o'clock in every community in South Dakota. At 6 o'clock to-night the State campaign is concluded with a subscription of 170 per cent of our allotment. Our home county (Minnehaha) wins the honor with more than 300 per cent subscription of its allotment. South Dakota is the first State to go over the top.

GEO. R. DOUTHITT,
Vice Chairman for South Dakota.